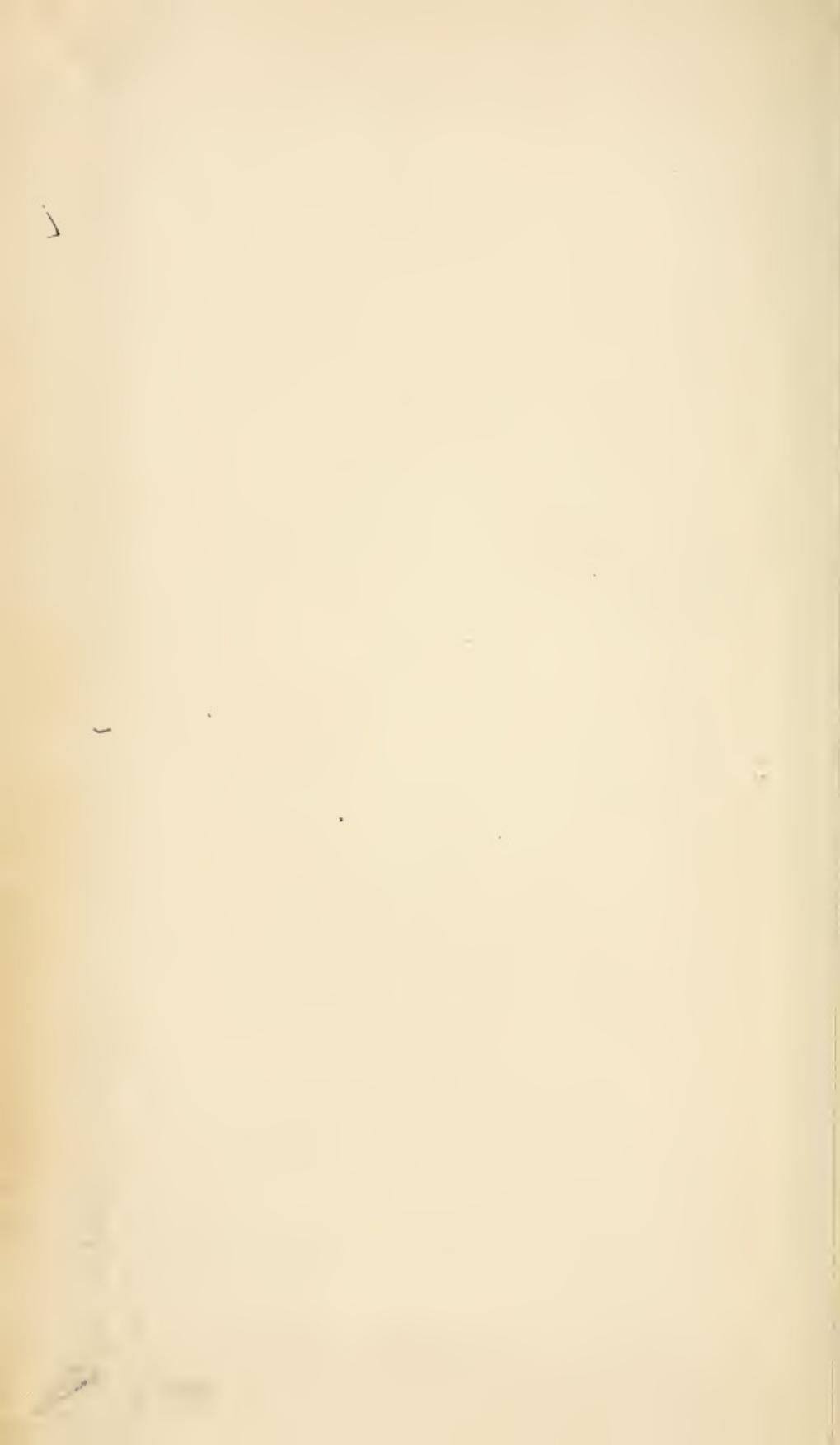


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# L I F E

OF

## D E W I T T C L I N T O N

BY

JAMES RENWICK, LL.D.,

PROFESSOR OF NATURAL EXPERIMENTAL PHILOSOPHY AND  
CHEMISTRY IN COLUMBIA COLLEGE

NEW YORK:

HARPER & BROTHERS, PUBLISHERS.

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## P R E F A C E.

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THE Biography of Dewitt Clinton, which is now submitted to the public, was originally intended to have been a mere sketch, comprised within less than a third of its present extent. The subject, however, was found to present itself in so many new and important points of view, that it appeared probable that so meager an outline would have given but little satisfaction to the reader. In this stage of the composition, the author was tendered the use of the manuscript papers of the subject of the biography, and various other materials, by the kindness of Charles A. Clinton, the worthy and estimable son of so distinguished a father. To this gentleman thanks are gratefully returned for this and various other assistance which he has rendered the author. Thus, while no undue influence has been exerted by any of the relatives or friends of the departed statesman, the work will have the merit, if it possess no other, of being drawn from the most authentic sources.

*Columbia College, June, 1840.*



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# DEWITT CLINTON.

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## CHAPTER I.

*Introduction.—Memoir of the Family of Clinton.*

IN undertaking a biography of Dewitt Clinton, a task of no little difficulty is to be performed. Few men have been more the object of virulent animosity or of more exalted praise. It is, therefore, hardly possible to obtain any reasonable estimate of his character and public services from the testimony of his contemporaries; a part of whom sought to sink him below the level in popular esteem of which he was certainly worthy, while others, perhaps, endeavoured to raise him to a standing to which he was hardly entitled. In such conflicting testimony, the truth can with difficulty be reached.

It will be necessary, too, in describing his career, to open anew the wounds of political discord. In the violent contests between two great and powerful parties, which preceded the war of 1812, and in the continual fluctuations of opinion which have since occurred, there was hardly any distin-

guished individual of our state who has not at one time been opposed to Clinton, and at another united with him in the pursuit of the same political object; and of these many still survive. There were also others, who, opposed to him personally in the early period of his life, continued that opposition to the hour of his death, and seem to have been guided finally by no other principle but that of being found in the party where he was not; and there have been some who sunk all other considerations in devoted attachment to his fortunes.

Those who were so long his open enemies, however, prey not upon the character of the dead; and those who, with fair and manly feelings, supported him when his course was consistent with their views of state and national policy, and acted against him without personal motives when their opinions did not coincide with his, cannot be offended by a narrative, intended to be impartial, of his eventful career. There are those, however who meanly flattered him when possessed of power, and as basely deserted him when the tide of politics set against him, to whom a candid account of the vicissitudes of his political life must recall disagreeable reflections; and there must be some of those who almost deified him while alive, who may feel disappointed at the coldness of the praises which this history awards him.

The name and family of Clinton are inseparably connected with the history of the Province and State of New-York. Under the royal government, George Clinton, a naval officer of high rank, was for a time chief-magistrate of the colony. A second of the same name, the uncle of the subject of our memoir, was the first governor of the state after its independence was declared. This office he held for eighteen years, and was distinguished, not only for a faithful discharge of the civil duties of his office, but for a brave though unsuccessful defence of the passes of the Highlands, at the head of the militia suddenly gathered to oppose the royal forces.

James Clinton, the father of Dewitt, was a brave and useful military officer in the war of 1756 and in that of the revolution; while a third of the name of George, the son of James and brother of Dewitt, represented the City of New-York in the Congress of the United States.

However unimportant we may justly view such pretensions as are founded on ancestral worth alone, and however politic it may be in a republican government to reject all claims to distinction growing out of such a cause, we may still feel, and with propriety gratify, a curiosity as to the race whence our eminent public servants have drawn their descent. In countries where an aristocracy prevails, the sons often derive all their dis-

tinction from the exploits and virtues of their sires; while in those where no such adventitious source of dignity exists, the merits of the descendant reflect back honour upon the memory of his progenitors.

The family which bears the name of Clinton is of Norman origin. Individuals belonging to it appear in the history of the Crusades, and figure in the chivalrous chronicles of Froissart and Monstrelet. For our own purposes, we need only go back to the immediate ancestor of the branch which settled in the State of New-York, who was a gentleman of fortune and influence in the reign of Charles I. A cadet of the family of the Earls of Lincoln, he espoused, along with many other scions of noble houses, the royal side in the civil war. On the failure of that cause, he had attained a sufficient degree of eminence as its adherent to be too obnoxious to the victors to hope for safety. He therefore took refuge on the Continent. We next find him in Scotland, under circumstances which lead to the impression that he had accompanied Charles II. in the brave but unfortunate effort which that prince made to reconquer England at the head of the Scottish army. Here he married a lady of the noble house of Kennedy. After the disastrous battle of Worcester, he, with his wife, sought refuge in Ireland, in which country he died, leaving a son of the tender age of two years.

James Clinton, the son, made an attempt, on reaching the age of manhood, to regain the estate of his father, sequestered by the commonwealth for his adherence to the royal cause. Here he experienced the ingratitude which disgraced the restoration of the Stuarts. The estate was withheld on plea of an act of limitation, and no indemnity was granted to him. During his stay in England in presenting his claims, he wooed and wedded Elizabeth Smith, the daughter of an officer in the army of the Parliament. The fortune of this lady was sufficient to establish him respectably in Ireland, whither he returned on the failure of his claim upon royal gratitude.

It is not to be questioned, that the denial of what was no more than strict justice must have lessened, in a great degree, the feelings of loyalty to kings which James Clinton may have derived from his parents. His children, in addition, drew their maternal descent from the stern republicans who had doomed a monarch to the block. We therefore find Charles Clinton, his son, a dissenter from the established religion, and in opposition to the ruling party in Ireland.

While the revolution of 1689, and the accession of the House of Hanover, established the privileges of Englishmen on a surer foundation, Ireland was treated as a conquered country, and ruled by a small minority of her population upon prin-

ples of bigotry and intolerance. In order to escape the annoyance and oppression arising from this policy in the government, Charles Clinton, in the 40th year of his age, resolved to emigrate to North America. In this determination he was joined by a number of friends and neighbours, subject to the same disqualifications, who clustered around him as the leader of their enterprise. Pennsylvania was the proposed object of the voyage on which they embarked from Dublin in May, 1729. From want of skill or fidelity in the master of the vessel, the passage was prolonged to the month of October, when the members of the proposed colony were happy to be landed on the bleak and inhospitable peninsula of Cape Cod. In this disastrous voyage many of the passengers perished, and Charles Clinton lost an only son and one of his two daughters.

Their original intentions being thus frustrated, Charles Clinton and his associates remained for a time at Cape Cod, until a place of settlement could be chosen. This was at last found in the valley of the Walkill, in the present county of Orange. To this they removed in the spring of 1731.

The choice of the land for this settlement reflects credit on the sagacity of Charles Clinton. Up to this time the selection of lands had been principally directed by their capacity for the growth

of grain. He, as the leader of a colony accustomed to pastoral occupations rather than tillage, sought for soil which should yield a rich and abundant pasturage, and thus formed the nucleus of that industrious body of Irish Presbyterians, whose luxuriant fields of grass, and the valued products of their milk, justify the scriptural appellation of the land of Goshen, which has been given to this pastoral region. Under the influence of that strong attachment to the land of their ancestors, which was not destroyed until after years of oppression and suffering, this colony gave to their settlement the name of Little Britain.

In the early settlement of the Province of New-York, it had been customary for bands of emigrants to unite together under a leader for the purpose of mutual defence and support. Such leaders were, in many cases, persons of capital and enterprise, who sought, in the establishment of a colony, a profitable investment for themselves, in a property entailed upon their descendants. The policy of the early government, under both Batavian and English rule, favoured this mode of settlement; and grants were made of large tracts to the leaders, in order to be apportioned among their followers upon tenures almost feudal in their character. In this there was no real injustice, because much of the cost of the transportation of the emigrants from Europe was defrayed by the leader

of the expedition, who also paid the fees, small though they might be, attendant upon issuing the patent, and extinguished the Indian claim. Such tenures still exist among us; and the occupiers of the land, forgetful of the circumstances under which their predecessors acquired their possessions, are apt to grumble at the moderate rents in kind, and personal services, which serve, in fact, to pay the cost of emigration and settlement. The companions of Charles Clinton, although they looked up to him as a leader, were not dependant in their circumstances. The settlement at Little Britain was therefore made on principles of strict equality, each head of a family acquiring in fee that portion of land which his capital or his command of labour enabled him to occupy to advantage. In spite of this principle of equality, the superior intelligence and education of Charles Clinton gave him a consideration among his neighbours as elevated as if he had become possessed of manorial rights.

Although distant no more than sixty miles from New-York, and only eight from the bank of the Hudson, the settlement of Little Britain was a frontier post. The house of Charles Clinton was therefore fortified, as a security, not for himself and family alone, but as a refuge for his neighbours in threatened attacks from Indian enemies.

In becoming an integral part of a well-govern-

ed community, the supremacy of the laws was to be maintained, and he was forthwith named a justice of the peace. Before many years elapsed, his usefulness in this capacity was extended by his receiving the appointment of a judge of the Common Pleas for the county of Ulster, within the limits of which Little Britain at that time fell.

These offices, which were then exercised without emolument, and were, therefore, no object to those who might otherwise have sought them as a means of livelihood, furnish evidence of the high estimation in which Charles Clinton was held by his neighbours and by the government of the province. In an age of little litigation, his judicial duties did not interfere with the cultivation of his farm, nor prevent his attention to the education of his family. It has been seen that his first-born son died on the passage from Europe. Four others were born to him after his settlement at Little Britain. The two eldest of these chose the profession of medicine, and the second of them served as surgeon in the combined English and Continental army which took the Havannah in 1762.

James, the third son, was born in 1736, and was educated under the paternal roof. When the war of 1756 broke out, his father received the appointment of lieutenant-colonel in the militia of the province, and the son was, at the same time, named an ensign in his father's regiment. In these

capacities both were called into active service, and were present at the capture of Fort Frontenac in Upper Canada, on the site of the present town of Kingston.

The fourth son was called George, after the colonial governor of that name, who claimed and admitted the ties of consanguinity with the settler of the valley of the Walkill. George Clinton, who held for so many years the office of governor of the State of New-York, and died Vice-president of the United States, is too well known in American history to require to be commemorated by us. He was also an officer at the capture of Fort Frontenac.

James Clinton had attained, at the close of the French war in 1761, the rank of captain, and was successively promoted through the intermediate stations to the command of the second regiment of Ulster county Militia, which he held at the commencement of the struggle for independence. His father did not live to see that contest, but died in the year 1773. James Clinton, in the interval between the close of the French war and the beginning of that of the revolution, married Miss Mary Dewitt, a descendant of a family from Holland. Four sons were the fruit of this union, of whom Dewitt, the subject of this Memoir, was the second.

On the commencement of hostilities in 1775,

James Clinton was among the first officers who were named by Congress to take commands in the army raised under its authority. His first appointment was as colonel in the New-York line; he was subsequently promoted to the rank of brigadier, and held the commission of major-general at the close of the war. He distinguished himself in the defence of the passes of the Highlands, when stormed by the British army in 1777. In this action he served under the command of his brother, then commanding, as governor of the state, the militia which had been called into active service, while the British forces were led by Sir Henry Clinton, the son of the colonial governor, in honour of whom George had been named.

He afterward commanded the forces collected in the Valley of the Mohawk to oppose the Indians and Tories who threatened the settlements of that region, and subsequently led his army to join that of General Sullivan, in the expedition which drove the Indians from their fastnesses. Of this united army he commanded the right wing, and contributed much to the success of that undertaking. In order to join Sullivan, it was necessary to make a military road from the Mohawk at Fort Plain to Lake Otsego. Here boats were to be built to convey the troops with their stores, and, in order to float them over the bars and shallows of the up-

per Susquehanna, a temporary flush of water was obtained by damming up the outlet of the lake.

He last appeared in arms at the siege of Yorktown, where he aided in the capture of Cornwallis and his army.

At the close of the Revolutionary war General James Clinton retired to his estate in Orange county. Here, however, he was not suffered to remain unemployed in the service of his native state, but was frequently called upon to exercise offices of high trust, and to perform legislative duties.

Such was the race from which the subject of our memoir derived his birth; and his own talents and distinguished public services, so far from requiring the aid of ancestral dignity to illustrate him, would have ennobled the family from which he sprung.

## CHAPTER II.

*Birth of Dewitt Clinton.—His early Education.—He studies at the Kingston Academy.—He is present at the Evacuation of New-York.—He enters Columbia College.—Account of the Professors of that Institution.—Clinton distinguishes himself as a Scholar, and graduates with the highest honours.*

DEWITT CLINTON was born March 2d, 1769, at Little Britain, the residence of his father, General James Clinton. His early education was intrusted to the Rev. Mr. Moffat, the pastor of the Presbyterian church in that settlement. In 1782 he was removed to the Academy of Kingston, an institution at that time of high celebrity, under the direction of a Mr. Addison. It was, in fact, the only public school that had been able to maintain its usefulness unimpaired during the revolutionary war. The whole state, with the exception of a small part in the neighbourhood of Albany, had been the seat of active hostilities. The British armies had penetrated from the north as far as Stillwater, and from the south nearly to the present site of Hudson. Kingston itself had been sacked and burned, but this caused no long suspension of the

operations of its academy, which an enlightened public spirit speedily re-edified. In the year 1784, having mastered all the subjects taught at the Kingston Academy, Dewitt Clinton was removed from it by his father, for the purpose of entering upon a more elevated course of study. For this purpose the college at Princeton was selected, and the son accompanied his father to New-York on their way to that institution. General Clinton had some months before taken a part in the ceremonial of receiving possession of New-York from the British troops. His son had then visited the city, where he witnessed the final evacuation of that important position by those who had so long held it, and shared in the joy of those who, after seven years of exile, were restored to their homes and household gods.

Thirty years before, a college had been established, by royal charter, in the City of New-York. This had been eminently successful in the production of sound and elegant scholars; and although its usefulness had been narrowed by the attempt to conduct it in conformity to the system of an established church, and for the propagation of royalist principles, it had, notwithstanding, trained some of the most eminent men who had taken the part of their country in the Revolutionary struggle. This institution had been almost ruined by the war. Its students and teachers had been driven out to

make room for the sick of the American army; its president chased from his post by a mob, enraged at his warm and vigorous support of the British cause; its library, then the most complete on the Continent, wasted and dispersed; its apparatus and museum destroyed. The occupation of New-York by the British forces did not mend its condition. Thus, while Cambridge, Princeton, Philadelphia, and Williamsburg had in succession become the quarters of armies, or the actual seat of hostilities, without sustaining any injury to their well-endowed universities, that of New-York had been almost obliterated.

The circumstances in which young Clinton was placed were the direct means of reviving this decayed institution. The nephew of the governor of the state and the son of one of its most distinguished citizens, it appeared to be a public disgrace that he should be compelled to resort to another state for his education. It was therefore determined to attempt to reopen the deserted halls of the college in New-York. A lucky chance permitted this to be done under the auspices of men of no little learning.

On the close of hostilities, the inhabitants of one of the counties of Virginia had resolved to restore a deserted academy of that state. For this purpose they had addressed themselves to Dr. Ogilvie, of Aberdeenshire, in Scotland; and, at his in-

stance, two young men of high promise and much learning had crossed the Atlantic. On reaching Virginia, they found that the inducements which had been held out to them were unfounded, and that no provision had been made for their comfortable support. Thus disappointed in their expectations, they had reached New-York on their return to their native country, the one burning with indignation and disgusted with everything American, the other in sorrow at leaving a country for whose people and institutions he had conceived an attachment. In this state of mind they were found by Mr. Duane, the mayor of the city ; and while the former not only declined for himself, but endeavoured to dissuade his companion, the latter joyfully accepted a call which promised the attainment of his desires.

This young Scotsman whom chance thus presented was the late John Kemp, LL.D., who for 28 years after was the soul of the institution, to which, in lieu of its former style of King's, the name of Columbia College was now given. The son of a father who had lost his property by his adherence to the cause of the Stuarts, he had been brought up by an uncle. While a student in the University of Aberdeen, he had competed for, and, after three days of hard contest, gained the prize of mathematical learning. The most valuable part of this distinction was the right of receiving

the instructions of the mathematical professor during the long vacations of seven months, which interrupt the courses of the Scottish Universities.

The professor at that time was Hamilton, who outlived his pupil, and distinguished the close of his life by the publication of his celebrated argument against the popular belief, that a debt did not diminish the wealth of a nation. In this place we have only time to say, that this argument, which carried with it immediate conviction, may be considered as having been the distant cause of the long peace which has continued among civilized nations since the downfall of Napoleon.

Dr. Kemp was not unworthy of the privileges which his previous proficiency had gained for him, and left college one of the best mathematicians of the age. His other attainments were also great: he was an excellent classical scholar, and had mastered all the physical knowledge of the day.

Another fortunate chance secured to Columbia College the services of the Rev. Wm. Cochran, a graduate of Trinity College, Dublin, a sound and excellent classical scholar. The revived institution had also the benefit of the services of Benjamin Moore, afterward the right reverend bishop of the Protestant Episcopal Church in the state. This gentleman, distinguished for his sound learning, his fine taste, and his persuasive eloquence, was a model of mild courtesy, and often succeeded

in enforcing discipline by an appeal to feelings of honour and sense of character, when harsh measures would have been unavailable. His important duties in the organization of his church, and the high responsibility of the station to which he was speedily elevated, withdrew him from the labours of education. After some years he was restored to the college in the capacity of its chief officer, but without any share in its active tuition ; and under his rule the institution rose to a high degree of prosperity, from which it fell for a time under the administration of an officer, whose high abilities and learning were not tempered by the prudence and caution for which Bishop Moore was so eminent.

Dr. Moyes, who filled the chair of Natural History and Chemistry, had the misfortune to be blind ; yet his lectures were popular and instructive. He had the high merit of being the first to introduce the latter science into the United States, freed from the dreams of alchymy. It was, however, still in its infancy, and the brilliant discoveries of Lavoisier were not yet received or even completed. Hence, in after life, Clinton found the necessity of keeping up with the progress of this science, of which even the language in which he had studied it was entirely changed. This labour, however irksome, he encountered.

The faculty of the college was completed by

the appointment of Samuel Bard, M.D., to the chair of Natural Philosophy, and of Dr. Grose to that of Metaphysical Science.

Of this faculty, Messrs. Kemp and Cochran alone devoted their whole time to the business of their chairs. The other gentlemen had, in addition, other professional pursuits. This was for the moment favourable ; for they were men of high eminence and learning, who were collected by the wants of the growing city, and were thus enabled to afford their valuable services, at a time when the dilapidated state of the finances of the college, and the limited number of the pupils, would not have permitted the call of persons of equal attainments for the specific duty.

The organization that was at this time attempted of a university, which, with the college of New-York as its centre, was intended to include all the public seminaries of the state, was a plan of much promise, and, had it been pursued in the spirit of those who proposed it, might have been attended with incalculable advantage. It is remarkable, that it seems to have been the model on which, some years later, the University of France was framed ; and that has been pre-eminently successful. The two projects, however, differed in one essential feature. The central administration of the University of France is, indeed, presided over by a minister of state, but it includes in its body

men who have risen to it by success as teachers; the board of regents of the University of the State of New-York is elected by the Legislature, and, from the first, all men of practical skill in instruction seem to have been carefully excluded.

We need only say, the scheme was not carried into effect. Columbia College was soon withdrawn from all but the nominal jurisdiction of the regents; and no unity of purpose or action exists among the colleges and academies of the state. Finally, on the establishment of the school fund, it was not considered expedient to vest its management in that board, which, had it been efficient, would have seemed to be the proper organ for dispensing the public bounty.

Dewitt Clinton was the first matriculated student of the college, re-established in the manner we have mentioned, and was admitted to the junior class. The instructions of the able teachers who have been named were not without their effect upon the future character and services of Clinton. In no well-conducted institution would he have failed to become a distinguished scholar; but there were certain views and principles which he could not, at that time, have heard discussed in any other institution. Dr. Kemp, the favourite pupil of Professor Hamilton, was in the habit, in his mathematical course, of enforcing the yet unpublished views of his master on the subject of

public debts; and urging the necessity of providing for every debt contracted a sum sufficient not only to defray the interest, but to pay off the principal by an annuity. In his lectures in illustration of the mechanical part of natural philosophy, he prided himself on giving to every subject a practical bearing, and thus the principles and history of canal navigation formed a favourite theme. He, in particular, insisted on the necessity of abandoning all attempts to improve the navigation of small rivers, and of substituting canals for the whole distance; illustrating his position by the celebrated saying of Bradley, that such streams "were intended by the Almighty for feeding canals." At the time that Clinton was his pupil, his acquaintance with the topography of the United States would not probably have enabled him to have formed the clear and lucid views he was subsequently in the habit of expressing, in relation to the capacities of the State of New-York for inland navigation. These became afterward a matter of public record, in a letter he addressed to his friend Dr. Beattie. In this he points out the possibility of a canal navigation from Oswego to Albany, and an extension to the West by the Seneca River to the heads of the Seneca and Cayuga Lakes. Among the number of his pupils who were distributed throughout the State of New-York, these views had made a deep impression, and had a de-

cided influence in preparing the public mind for the system which was finally adopted. In the mind of Clinton, the financial arguments and true principles of internal improvement enforced by his teacher, may naturally have formed the basis of the sound and enlightened views which subsequently directed his conduct. If they did no more, they must have had the effect of exciting his curiosity, and leading him to study for himself those principles of finance and systems of internal improvement to which his attention was directed by his instructor.

During the two years Clinton remained as a student in Columbia College, he distinguished himself by a marked superiority over all his fellows. This superiority has, with a pardonable pride, been alluded to by his instructor, Dr. Cochran, in a letter to Dr. Hosack, the eulogist of Clinton. "I found Mr. Clinton apt to learn anything that was required of him. He was clear in mathematics, and correct in classical knowledge. He did everything well: upon the whole, he seemed likely to me to prove, as he did prove, a highly useful and practical man; what the Romans call *civilis*, and the Greeks *πολιτικος*, a useful citizen, and qualified to counsel and direct his fellow-citizens to honour and happiness. And now, in conclusion, I cannot but feel self-gratulation and pride, I hope a virtuous one, when I reflect on the number of

eminent persons that have proceeded from the very cradle of Columbia College. Draw, at a venture, from the old and illustrious seminaries of England and Ireland, the same number of names as we had on our books, and I will venture to affirm that they will not be superior to such men as Governor Clinton, Chancellor Jones, the Rev. Dr. John M. Mason, and some others."

In conversation Dr. Cochran thus spoke of the early talent of Clinton. "I hear," said he, "that his political opponents call him, by way of reproach, *magnus Apollo*. If he have not degenerated from what I knew him as a boy, he is well entitled to the appellation as a title of honour."

Clinton's academic career closed in 1786, when he received the usual degree of bachelor of arts, taking, at the commencement, the highest honour which the institution could bestow. He left to his successors, as students in Columbia College, an example of steadiness, diligence, and moral excellence, which is the more meritorious, as many young men in his position might have been inclined to idleness, from the feeling that their family had already reached a station which would exempt them from labour; and to insubordination, from the knowledge that their teachers held office during the pleasure of their nearest connexions.

It is not to be concealed, that there was one occasion on which a dispute arose between the stu-

dents and one of the professors of the college, and that Clinton was put forward as the champion of his associates, on whose behalf he wrote a complaint to the Board of Regents, by which the affairs of the college were then administered. This address is marked with precocious ability, but had no effect on the proceedings of that board, which sustained the professor in what the students considered an unwarrantable exercise of authority during hours not devoted to collegiate duty. It is mutually to the credit of the teacher and his pupil, that the prominent position in which Clinton was placed on this occasion had no effect upon his standing in his class. The collision had the effect of establishing the character of the teacher for fearlessness and decision; and so little was his course blamed by the friends and family of Clinton, that the immediate superintendence of the studies of his younger brothers, and of his cousins, the sons of the governor, was intrusted to the professor against whose conduct Dewitt Clinton had penned the remonstrance.

## CHAPTER III.

*Clinton enters upon the Study of the Law, and is admitted to its Practice.—He is appointed Private Secretary to his Uncle the Governor.—His Career as a Political Writer.—He retires to Private Life, and applies himself to Scientific Pursuits.—He marries.—Character of his Wife.*

UPON leaving college Clinton entered immediately upon the study of the law. For this purpose he was placed in the office of the Hon. Samuel Jones, who at that time held a high rank at the bar of the State of New-York. This learned jurist had taken no active part in the war of revolution; and, from his quiet acquiescence in the sway exerted by England over the counties occupied by her armies, had even been accused of the sentiments called Tory. Like many others in the same position, this acquiescence arose from no hostile feeling to the cause of independence, but from the necessity of the case. Enveloped, with their families, by an armed force, and cut off from all communication with their countrymen, they had no choice but submission. On the evacuation of New-York, Mr. Jones resumed his profession, and took at once the highest place among the barristers of the day.

His legal eminence descended to his sons ; one of whom has reached the high office of chancellor of the state, and still presides in one of the most important courts. The intimacy between the families of Jones and Clinton, whether renewed or growing out of the position in which young Clinton was placed, has continued from that time, and has been cemented by more than one intermarriage.

The routine of a lawyer's office affords little opportunity for the exhibition of more than steady industry, and in this respect both the teacher and scholar appear to have been mutually satisfied with each other. Practice in forensic disputation was sought by Clinton in an association of young men, engaged, like himself, in legal studies ; and here he held a prominent rank among many who afterward attained to excellence in various ways. His admission to the bar took place after the usual course of three years' study, and the examination prescribed by law. He was not, however, permitted to try his success in the practice of that profession, although his friends foretold him a brilliant career. His uncle, the governor of the state, at a period of great political excitement, had need of a person both of great capacity and unquestioned fidelity as secretary. This post had been filled by the elder brother of DeWitt Clinton, who was unfortunately drowned in the Hudson. On the death of this brother, in order to serve his rel-

ative and efficient patron, he consented to forego the hopes of a profession which, in his hands, promised both to be productive of great emolument and a road to distinction. It has been remarked of English legislators, that, however necessary may be the mere study of the laws, and particularly that of the constitution of their country, to those who aim at political eminence, none who have become entangled in its practice have distinguished themselves as statesmen. The reason is obvious ; the necessity of confining themselves to one side of a cause creates a habit of viewing a subject in a single light, and in its details rather than in its broad and general bearings. The nice refinements of special pleading are unsuited to the ears of a popular assembly, and are repugnant even to the taste of a deliberative body.

It was, therefore, fortunate for his country, and particularly to his native state, that Clinton abandoned so early the profession of the law, and entered into the career of politics. Whether it were equally so to his own happiness may well be questioned. The life of Clinton was from this moment one of political strife, into which he threw all the force of his ardent temperament and brilliant talents, and in which he acquired but few disinterested and really attached friends, and made many bitter enemies.

We have already stated that he accepted the of-

fice of private secretary to his uncle at a time of great excitement. The question of the adoption of the federal constitution in the place of the old confederation had just been settled. His uncle had been opposed to many of the details of that measure, and had resisted it with all his influence to the moment when farther opposition would have become factious. If we look to the progress in wealth and population which New-York has made since that period, a progress due not more to the blessings of a stable government than to its own unrivalled position, we may ascribe to George Clinton the gift of prescience. He may have seen that his state was destined to take the first rank in the confederacy; its chief city to be the emporium of the commerce of the Continent; and, imbued with the attachment to state rights which has again become so popular, may have patriotically desired to secure to the commonwealth over which he presided the advantages which nature had prepared for it. If we were to investigate the results which would have followed, had the proposition which was strongly urged by many been acceded to, namely, that a general and uniform tariff of duties should be adopted throughout the confederation, of which each state should receive into its own treasury that which was collected within its limits, how proud would have been the position of New-York. In its chief port are collected half the

revenues from customs of the whole union ; and it would have attained this pre-eminence years earlier than it actually did. Philadelphia would not have been enabled to rival it so long by the influence of capital collected in its two successive national banks, and all other cities must have sunk in the comparison.

The State of New-York also had no ill-founded claim to the whole of the territory north of the 42d degree of latitude, as far west as the Mississippi. This claim seemed to have been considered as unquestionable so long as the colonial government lasted, and is exhibited upon the maps of that day. The adverse claim of Massachusetts covered but a narrow strip, and New-York cut her off from the lands in dispute. No state, therefore, yielded so much to the union as New-York. That many true patriots should have hesitated in mutilating the sovereignty under which such revenues were in prospect, and which might have maintained its land-claims by force if necessary, is not to be wondered at.

It happened, luckily, however, that a more extended sense of patriotism prevailed, which embraced not states or separate interests of even wider influence, but the whole of that people which had stood side by side in the war of independence. But let not those who now wage political warfare on sectional grounds—who speak of an Eastern and a

Western interest—who advocate abolition because it will injure the South, or a system of finance that will injure the North, impeach the patriotism of those opposed to the federal constitution. The modern politicians seek to cause a division in interests which are already united, and whose severance would create the most disastrous consequences ; the anti-federalists sought to perpetuate an existing state of things, from any change in which they erroneously anticipated evil.

The discussion on the subject of the constitution was carried on in the public papers. The cause which prevailed was sustained by the veteran pen of Jay, the strong and clear intellect of Hamilton, and the cool sagacity of Madison. At this day it is unnecessary to say how triumphant were their arguments, and how thoroughly the able exposition of the constitution contained in the papers collected under the name of "The Federalist" has become a part of the common law of the land. Yet this powerful publication was not allowed to remain unanswered, and the most able of the opposing arguments were found in papers bearing the signature of "A Countryman." These were the production of Clinton, and carried conviction to a large proportion of the voters of the State of New-York. If we cannot now assent to the justice of his views, we may, notwithstanding, admire the boldness which did not shrink from a contest

with writers of such transcendent reputation, and the ability which to many minds appeared to have gained a victory over them.

In the state convention which was assembled to consider the new constitution, for the purpose of its being ratified or rejected by New-York, General James Clinton had a seat, and Governor George Clinton presided. In this assembly broad feelings of patriotism prevailed over the grounds which had been the basis of an opposition to the adoption of the constitution. Dewitt Clinton was present at the meetings of the convention, and reported its debates for one of the city papers. His letters, at the time, show him to have been in principle an anti-federalist. Mature reflection in after days changed his views on this subject; and his official letter to the mayor of Philadelphia, on the occasion of the death of Hamilton, shows how completely satisfied he had then become of the wisdom which directed the framers of the constitution of the United States.

The adoption of the constitution led to the formation of parties upon principles entirely new. The anti-federalists acquiesced in the declared will of the majority, and dropped their distinctive appellation; nor did the paramount influence of Washington, in his office of president, admit of the formation of an opposition upon the ancient grounds. Those who accepted representative of-

fices under the new constitution would have formed an opposition to the administration with an ill grace, on the ground of their being dissatisfied with the provisions of that instrument. A question on which to organize an opposition was, however, speedily found in the state of the external relations of the country. It is foreign to our purpose to enter into the questions of the mission of Genet, and the commercial treaty made with England by Jay. Suffice it to say, that on these questions George Clinton placed himself in the opposition to the general government. Into this position he was, perhaps, as much driven by attacks upon himself by the federal party, as impelled by his own sentiments. The supporters of the federal constitution, dissatisfied with the opposition made by George Clinton to its adoption, sought a new candidate for the office of governor in the person of Chief-justice Jay, and nearly succeeded in electing him. He, in fact, received a clear majority of all the votes, but was not returned by the canvassers for want of a strict compliance with the prescribed legal forms. In the published discussions which grew out of this contest in the State of New-York, and in the opposition to the foreign policy of the general government, the pen of Clinton found full occupation in the support of his uncle's cause. However ephemeral were his essays, which appeared in anonymous forms, and

however unwilling he may have been in after life to avow his juvenile efforts as a political gladiator, he acquired the reputation of a most powerful and efficient writer. So high was this reputation, that every paper of unusual merit which appeared on the side which he espoused was ascribed to him as the author, and he thus was often wrongfully suspected of personal and illiberal attacks, from which his own manly nature would have shrunk with abhorrence.

In 1794, while the aggressions of the two great belligerents of Europe upon our commerce threatened to involve the United States in a war with one of them, Dewitt Clinton united with several other young men in the formation of a company of volunteer artillery. Of this he was chosen lieutenant, and soon became the captain. The company formed a part of the regiment commanded by Colonel Bauman, a corps even yet remembered for its soldierlike deportment and exemplary discipline. In this corps he rose to the rank of major.

While acting as private secretary to his uncle, he was also called to fill the stations of secretary to the regents of the University, and to a board of commissioners who had charge of fortifying the harbour of New-York at the expense of the state. These appointments show that he already filled a higher place in the estimation of the community than is usually reached by the young men who

hold the confidential but unimportant place of private secretary to a governor. All these appointments ceased when his uncle failed in securing a re-election to the office of governor in 1795. The federal party now predominated beyond all possibility of question ; and John Jay, the chief justice of the United States, was elected in the room of George Clinton.

Dewitt Clinton was thus restored to private life, and ceased to have any engrossing pursuit. He, in consequence, sought to re-establish himself in the profession of the law, and entered into a partnership with Mr. John McKesson for that purpose. The business which presented itself was respectable, and promised to increase rapidly ; but, long before the slow steps by which young men acquire celebrity at the bar could be accomplished, he was again recalled to political life. He, however, made use of this interval of leisure to apply himself to the study of the sciences, in which he had already made some progress, and for which he had a decided taste. The direction which he took in this pursuit was influenced in a great degree by his intimacy with Drs. Hosack and Mitchill. The former was at this time professor of botany, the latter professor of chemistry in Columbia College. The latter, in addition, was almost the only cultivator of the science of zoology the United States then possessed. In compliance with the pursuits of his

two associates, natural history, in its several branches, became the object of his studies. In this department of knowledge he made no mean proficiency; and it is not a little remarkable, that, while the two professors added no very important facets to science, the amateur, as we shall see, made discoveries, one of which, at least, was of great interest.

During the same interval Clinton entered into a matrimonial connexion. The lady whom he married was Miss Maria Franklin, the daughter of an eminent merchant in New-York of the Quaker persuasion. This union was a happy one, but was dissolved in 1818 by the death of Mrs. Clinton, who left a family of four sons and three daughters.

Mrs. Clinton was a lady of retiring and domestic habits; ill-suited, perhaps, to advance the political interests of her husband, but better qualified, for that very reason, to be his solace in the constant anxieties and occasional reverses to which he was exposed in his political career. Her worth may be best illustrated by the tender recollection and high esteem with which her children still regard the amiable qualities and virtues of their mother. She was a warm-hearted, accomplished, and most amiable woman, devoted to the happiness of her husband and children, and her death was an irreparable loss to her family.

We have thus passed the period of Clinton's tu-

telage, whether literary or political. Up to this time he had, in the latter respect, been the agent and mouthpiece of his uncle the governor; we have next to contemplate him aspiring to eminence under the direction of his own intellect.

## CHAPTER IV.

*State of Parties under the Administration of Adams.—Clinton is elected a Member of Assembly.—He is chosen Senator of the State.—He becomes a Member of the Council of Appointment.—Contest in respect to the Powers of that Council.—State Convention.—His Victory over Jay.—He is elected a Senator of the United States, where he is opposed to Gouverneur Morris.—Debate on the Mississippi Question.—Clinton's Speech on that occasion.—He acquires a high Reputation as a Statesman.*

THE federal party, which acquired the superiority in the State of New-York in 1795, seemed destined to an ascendency of unlimited duration. Looking proudly to Washington himself as their leader, their principles seemed indissolubly united with the honour and prosperity of their country. The sympathy with which the cause of the French revolution had for a time been regarded by many American citizens, had been replaced, to a great degree, by disgust at the insolent pretensions of the rulers of that country, and resentment for their aggressions. It thus happened, that, when John Adams succeeded Washington in the presidential

chair, the nation was urged by a feeling almost universal into hostilities with France; and, although no absolute declaration of war was made on either side, the commerce of the United States was attacked wherever it was accessible by French cruisers and privateers; while measures were adopted for the defence of the seacoast by fortifications and the creation of a navy. A more questionable step was taken by the administration in the enlistment of an army, which, in the opinion of many, was uncalled for, because our shores were, in fact, inaccessible to any French force more powerful than a single vessel.

Experience has shown us, that the measures of providing a naval armament and an army on a peace establishment, which might have served as the nucleus of an efficient force in war, were both wise. It was also a sagacious step to take advantage of the excitement produced by French aggressions, to obtain the public consent to these important means of national security. They were, however, seized by the opponents of the administration as objects of attack. So long as the popular excitement against France remained, the attacks of the opposition were fruitless; but when Adams, in an evil hour for his party, humbled himself and his country before the French Directory, all enthusiasm was at an end.

It would appear that not only Clinton himself,

but his uncle, had partaken of the popular feeling. When the citizens of New-York turned out to labour on the fortifications for the defence of their harbour, old George Clinton was seen among them, encouraging their toils by his example ; and Dewitt Clinton was daily engaged in drilling his company to the use of the heavy guns mounted on the battery.

The attempt of the administration to maintain a regular army after the danger of war was at an end, the load of obloquy which was poured upon the navy, but still more the necessity of imposing taxes, coupled with laws construed as interfering with the right of personal liberty, speedily rendered it unpopular. The party with which the Clintons were connected acquired the ascendency, and Jefferson was elected president of the United States.

Even while the victory was yet doubtful, partial successes were gained by the party in opposition to Mr. Adams. In 1797 Dewitt Clinton was elected a member of the Legislature, and in 1798 state Senator. In this capacity he was chosen, in 1800, a member of the council of appointment, and was engaged in a contest with Governor Jay. The state constitution had, in addition to two legislative bodies, provided two councils to aid the governor in his executive and legislative capacities. The one was styled that of appointment, with whose concurrence and advice all offices

were to be filled; the other that of revision, to which all laws were to be submitted. Governor Jay, who had, in 1798, been elected by a triumphant vote, was now opposed by a majority in both houses of the Legislature; and the council of appointment, which was chosen from the Senate, was of the dominant party. At the meeting of this council, Clinton asserted for himself and colleagues the equal right of naming the candidates, and of proposing the removal of the holders of office. Jay, on the other hand, maintained that the sole right of nomination was vested in the governor, and that the council had no other powers but those of confirmation and rejection. In order to prevent the council from acting in conformity with the views of its majority, Jay resorted to the bold measure of adjourning their meeting, and refusing to call them together. He then submitted the question to the Legislature, asking for an explanatory law; but that body, under the impression that it possessed no powers in the premises, recommended the call of a convention for the purpose of deciding the question. The convention assembled, and the views of Clinton prevailed.

We therefore have no reason to doubt that his opinion was founded on a correct interpretation of the words of the constitution, although, as Jay himself had prepared the original draught, it is certain that such was not the intention of its framers.

It may now be conceded, that in this dispute Clinton was actuated by the motive of securing the supremacy of his party, as well as that of obtaining a signal victory in argument over a distinguished and able adversary ; and, in the ardour of his struggle for superiority, neglected to examine the probable consequences. It has even been said, that the course he took was not approved by his uncle, who looked upon the subject through the calmer medium of age and experience. The victory he obtained in the construction of the constitution over a man of such eminence and high reputation as a jurist as Jay, is, however, calculated to give us an elevated opinion of his talent and legal learning, however we may be disposed to question his prudence.

It is due to the truth of history to say, that the consequences of this decision were injurious to the public interests, and were the cause of that bitterness of party spirit which has made the citizens of other states stigmatize the politics of New-York as ferocious. From this partisan rage no one suffered more severely than Dewitt Clinton, both in his own person and those of his friends.

It appears by written memoranda in his own hand, that his views of the proper mode of action under the new construction of the constitution was, that the offices of the state should be divided between the two opposing parties in the ratio of their

respective numbers. On this principle he acted, when he led the majority of the council of appointment; and, could it have become the habitual custom, it would have prevented all the objectionable consequences of the measure. But that a triumphant party should pause in the progress of removing its opponents after it has obtained the power, is not to be expected, although there have been individuals who, when the appointing honour was vested in them, have had firmness enough to refuse to gratify their supporters at the expense of the removal of persons who were faithfully performing their official duties.

The effect of this construction of the constitution was to secure the rule of the State of New-York to the democratic party, and, for a time, to give to Clinton absolute supremacy. This party had secured the continuance of its first successes by a system of discipline of the most rigid and efficient character. All who numbered themselves as its members were required to yield implicit obedience to the will of its majority; that majority was made to move at the beck of committees, which concentrated the power in the hands of a few individuals. Denunciation as a traitor was the fate of him who ventured to act in conformity to his individual opinion, when it did not meet with the general sanction. So powerful was this system of organization, that all opposition finally ceased; and

the only question was, which of two divisions was in reality the democratic party. Thus the supporters of Burr and of Lewis, in their quest of the office of governor, and of John Quincy Adams for a second term of the presidency, claimed to be the same republican party which chose the first as Vice-President of the United States, and the two others to their first term of office.

Clinton's talent lay in the power of open and bold attacks against his adversaries, and in the capacity of maintaining his cause by strong and well-arranged argument, not in the management of the intrigues which are necessary to unite into one expression various conflicting opinions. In the cabinet and in the council, he possessed a commanding and prevailing eloquence ; in the management of individual temper and in popular arts, he was deficient. It thus happened that men of less talent, but of more address, secured to themselves the power of directing the movement of the party even while he was its admitted chief; and when its measures became such as his conscience would not permit him to support, he became the victim of party usage.

As we have been compelled to refer to the contest between Clinton and Jay in relation to the council of appointment, it is proper to state, that, before the death of that distinguished statesman, a perfect reconciliation took place between them.

Their estrangement had been that of party alone; and personal feeling, if perhaps inseparable from opposition of so violent a character, was speedily allayed. Jay appeared no more in the field of political warfare, but his children were subsequently ranked among the political and personal friends of Clinton.

While a member of the Assembly, Clinton was in the minority of that body, and in opposition not only to the executive of his own state, but to the administration of the general government. His course, however, was not marked by the character of faction. On the question of a request to the governor to write to the senators and representatives of the state to endeavour to obtain a repeal of the Stamp Act, he voted in the negative; thus setting at naught the cry of his party, which had adroitly connected this mode of collecting revenue with the obnoxious measure of the British Parliament bearing the same name.

So, also, when he took his seat in the Senate of the state, he cordially concurred in the address to President Adams, pledging the support of the state to the maintenance of the national honour against French aggression.

Of the acts whose passage he was instrumental in obtaining, the most important in its consequences was that for the gradual abolition of slavery; a measure which has been productive of incalcul-

lable benefit to the state, and which, although favoured by Governor Jay, he had not ventured to recommend in his speeches to the legislature. He also moved a resolution proposing the amendment which was soon after made in the Constitution of the United States, by which the President and Vice-President are designated in the electoral vote.

When his authority over the dominant party of the state was in its acme, he was elected Senator of the United States. This high rank he attained in 1801, when but 32 years old, being one of the youngest men who have ever taken their seat in that august body. His colleague from the State of New-York was Gouverneur Morris, who still retained all the vigour of his faculties, and had, in addition, the advantage of long experience as a statesman and a political debater. A member of the old Congress, he had filled with distinguished ability offices of the highest trust under the federal constitution, and was, in the Senate of the United States, the most eloquent, if not the most powerful supporter of the principles of the federal party. Clinton was thus placed in immediate opposition, and brought into direct contrast with this veteran debater. In this severe trial, it is sufficient for the honour of Clinton to say that he was not worsted.

The public opposition of these distinguished men did, on more than one occasion, take the form of

almost personal attack; but in their cooler moments, each felt the ability and acknowledged the sincerity of his antagonist. It thus happened that the very circumstances of party opposition, which brought into direct contact men who might otherwise have been estranged, led to an intimate and sincere friendship, the result of mutual esteem and admiration. Of these two remarkable statesmen, Clinton, although the youngest, was the most sound and the most practical; Morris, although of maturer years, exhibited more of an almost youthful ardour.

The most important debate which occurred in the Senate while Clinton remained a member, was that on the question of the navigation of the Mississippi. By a treaty with Spain, made in 1795, the right of the United States to navigate that river had been admitted, "from its source to the sea;" and, in addition, the privilege of depositing merchandise in the port of New-Orleans had been granted for the period of three years. The same treaty contained a promise that this permission should be continued, or an *equivalent establishment* assigned to the citizens of the United States on another part of the banks of the Mississippi.

Without any notice or the assignment of the promised equivalent, this right was withdrawn by the local Spanish authorities; and all trade with American vessels navigating the Mississippi was interdicted.

The sensation produced by this act among the growing population of the West was prodigious, and the leaders of the opposition in Congress saw in it an opportunity for regaining the popularity which their party had lost under the administration of Mr. Adams. A series of resolutions was moved in the Senate by Mr. Ross, of Pennsylvania, which amounted to a declaration of war against Spain. These resolutions were opposed by Mr. Breck-enridge, who moved a substitute, authorizing the calling out of 80,000 militia, and the establish-  
ment of arsenals on the Western waters.

In the debate which ensued, Clinton took a de-  
cided lead on the side of the administration. His speech delivered on this occasion is remarkable for its sound and luminous exposition of the state of the question, and of the principles of international law which were applicable to it. It furnished the basis of the speeches of the other friends of the administration, and its arguments met with no satis-  
factory reply from the opposition. The latter party, however, directed against Clinton the weap-  
ons of invective and irony, for which his compara-  
tive youth furnished the material. One of the senators from New-Jersey descended to taunting language, while Clinton's colleague veiled his at-  
tack under the guise of compliment to his impress-  
ive eloquence, and the ingenuous glow on his youthful cheek.

Clinton continued for two years in the Senate of the United States, and his reputation for ability as a statesman, formerly confined to the limits of his native state, became national. He was on all sides looked up to as the most rising man in the Union, and may reasonably have seen in perspective the highest honours in the gift of the people. The close of his senatorial duties was attended by a controversy of a very disagreeable character with one of the senators from New-Jersey ; and of all the mere political contests in which Clinton was engaged, this alone seems to have left any impression of resentment on his mind. We find him referring to the name of his opponent many years afterward, although not with anger, yet in a manner which shows that the circumstance was not forgotten. Whatever opinion may now be formed of the merits of this controversy, no doubt can be entertained that it was provoked by the senator from New-Jersey, and that at a time when a generous antagonist would have cautiously abstained from attack, as it was made after it had become known that Clinton had accepted the mayoralty of New-York, and was therefore about to leave the Senate of the United States.

## CHAPTER V.

*Clinton is appointed Mayor of the City of New-York.—Important Duties of that Office.—His successive Reappointments and Removals.—Fluctuations of Party.—Causes of his Decline in Popularity.—His great Ability as a Criminal Judge.—The College Riot.—His Energy as Head of the Police.—Threatened Riots prevented by his Measures of Precaution.—Aggressions of British Cruisers in the Waters of New-York.—Breaches of Neutrality attempted by the French.—Clinton's Acts on these Occasions.*

In 1803 Clinton was appointed mayor of the city of New-York. This office was at that time held by a commission from the executive of the state, exercised under the construction of the constitution to which we have referred by the council of appointment. It was of much greater importance than it has possessed of late years. The mayor presided in the meetings of the Common Council, not yet divided into two chambers, and in this body he had a vote and a deliberative voice. A great number of valuable offices were in his direct gift; he was also the chief judge of the common pleas and of the criminal court, as well as the

actual head of the city police. Circumstances made one of the functions which are still exercised by the mayor of New-York of much greater importance than it has recently been. The city had been visited by the pestilence known as the yellow fever; and the mayor was ex officio chairman of the board to which, with almost absolute power, the care of the public health was intrusted.

The mayoralty of New-York was not only an office of high trust, but of considerable emolument. The old privileges granted by the royal charter were still in force; and the fees of office, although trifling in their items, had been swelled by the rapid growth of the population to a large aggregate amount. The whole of these fees had been received by his predecessors in office, and had been in one instance almost the only basis of a princely fortune. The common council, however, had the power of lowering the fees, while the mayor possessed similar authority over certain of the dues of the corporation. As the source whence the perquisites of the mayor were drawn hardly appeared a public burden, the corporation, while anxious to reduce the compensation of the mayor, did not feel called upon to lessen the fees themselves. A compromise was therefore proposed, and acceded to by Clinton, by which more than half of the mayor's receipts as clerk of the market went into

the treasury of the city. It would appear that, in this arrangement, the emoluments of the office were reduced to a sum little more than has, in times professing a more rigid economy, been attached to that office in the form of a fixed salary.

Whatever were the emoluments of the mayoralty, they gave Clinton no accession of fortune. He felt that they were intended not to be hoarded for his private use, but to enable him to support the dignity of the office and the hospitalities of the city. In every part of his career, the mere accumulation of wealth was considered as an object unworthy of his attention. His expenditures exceeded the income of his office, and he retired from it far from affluent in his circumstances.

His first appointment as mayor bore date 11th October, 1803, and the term of the office being annual, he was shortly after reappointed for the year 1804, as he was, in due course, for 1805 and 1806.

In 1807, a split having taken place in the democratic party, he was removed from the mayoralty, and Smith Thompson named in his stead. This gentleman did not enter upon the duties of the office, and was superseded by the appointment of Colonel Willett.

Colonel Willett held the office only for one year, when he was replaced by Clinton, who was again reappointed in 1809. Jacob Radcliff ob-

tained the appointment in 1810, and Clinton, replacing him in 1811, was continued in it until 6th March, 1815. During all this period, with the exception of the year 1810, when the federalists obtained a momentary ascendancy, a party claiming to be democratic possessed the appointing power. Clinton, however, was successful in maintaining, up to 1813, what was admitted to be the true succession of the party, and, as often as it overwhelmed its opponents, was replaced in his important office.

This ascendancy was not maintained without severe struggles, into which not only public motives, but personal feelings also, entered. Burr had been, up to the election of Jefferson, the favourite of the democratic party of New-York, and had, by the fascination of his manners, collected around him a knot of young men possessing talents, energy, and reckless courage beyond any which has ever been united in the support of any other politician. Although Burr had lost the confidence of the general administration, he still endeavoured to maintain his stand with the democratic party of the State of New-York. In this attempt he was met and frustrated by Clinton and his friends. A schism thus arising among individuals, many of whom had been in habits of the closest intimacy, both social and political, could not fail to be attended with mutual recriminations. These, in

several cases, passed the limits of forbearance, and hostile meetings were the consequence. In these combats Clinton was compelled, by his position, to take his share. Public opinion had not been declared, as it has since so formally been, against the code of duelling. So far from its being the general sense that duels were improper, it would have been fatal to any politician had he refused, when called upon for any cause considered sufficient in the code of honour, to meet the aggrieved party, or had he submitted to a technical insult without demanding satisfaction. This state of public feeling was at once put an end to by the death of Hamilton, who fell by the hand of the leader of that band, with which Clinton and his friends had been previously engaged in similar conflicts.

The division in the party, which led to the removal of Clinton from the office of mayor in 1807, grew out of the course of Governor Lewis, who, strong in his fortune, family, and connexions, as well as in the remembrance of his revolutionary services, ventured to act independently. In order to replace him, the leaders of the party selected Daniel D. Tompkins, at that time the junior judge of the Supreme Court of the State. According to his opponents, he was selected because he possessed none of the attributes which had led Lewis to refuse to submit to dictation. If, however, Clinton

and his friends had hoped to find in Tompkins a pliant and submissive tool, whom they might use for a time and discard at pleasure, they were mistaken. Tompkins, with no remarkable native powers of mind, and but little acquirement even as a lawyer, possessed, in a most eminent degree, the art of ingratiating himself with the people. He had the faculty, which is invaluable to him who seeks for popular honours, of never forgetting the name or face of any person with whom he had once conversed; of becoming acquainted and appearing to take an interest in the concerns of their families; and of securing, by his affability and amiable address, the good opinion of the female sex, who, although possessed of no vote, often exercise a powerful indirect influence. Clinton, on the other hand, absorbed in lofty contemplations, was often absent in mind, was forgetful of persons and all but familiar faces, and could not condescend to know the secrets of families.

Delightful in his hours of relaxation and in the society of his intimate friends, he found it difficult to unbend himself with strangers, and set too high a value on his time to exchange the news of the day, or bandy jests with those transacting business with him as mayor. Such traits of character, although often inseparable from genius and learning, are unfortunate in one who seeks for popular favour. Clinton was thus rendered liable to the accusation

of pride and haughtiness, when, in fact, only guilty of abstraction of mind and want of ease in his manners.

The time at last came when his influence, supported by mental superiority and honesty of purpose, was to yield to the popular talents of Tompkins. The administration of Madison resolved upon a war with Great Britain. For this, in the opinion of Clinton, there existed no new cause. He viewed with dismay the unprepared condition of the country, and the vast extent of exposed frontier of his native state. We now may consider it as one of the most fortunate occurrences which have ever happened for the prosperity and character of the United States, that war was declared at this juncture against Great Britain. It was justifiable, not by any new occurrences, but by a long course of aggressions. The only true question was, whether Britain or France should be selected as an enemy, for both had been equally guilty.

On this point there had been a wide difference of opinion in the United States, and it had become the line of party demarcation. The federalists had been desirous that hostilities should be commenced against France, and had even, under the administration of John Adams, authorized the capture of French vessels. The democratic party, on the other hand, had desired that, if war must take

place, it should be against England. With this party Clinton had uniformly acted, and had, in fact, led it in the State of New-York. His opinions on this point were unchanged, but he seems to have desired that the country should have been first put in a posture of preparation, which might have either extorted redress from Great Britain, or would have ensured success in the event of a war. His views and acts in reference to this question will be considered more fully hereafter, and we shall find that he differed from the administration only in a desire that a greater degree of energy should be infused into its councils. The votes of his friends in Congress fully justify this view of the subject, as well as the recollections of his intimates. As, however, he was in opposition to the administration at the time war was declared, being actually nominated as a candidate for the Presidency in opposition to Madison, this fact was adroitly seized to injure him.

If he had even been opposed to the declaration of war, as were many of unquestioned patriotism at the time, he might have been fully justified. The fears which many entertained of danger arising from our exposed and unprepared position, were shown to be well founded by the events of the first campaigns. It is not by the acquisitions obtained in that war, either in territory or in the terms of the peace by which it was ended, that its

consequences on our national character are to be measured. We added nothing to our former boundaries, and the principles on which Great Britain justified her aggressions on neutrals were not even a subject of discussion in the negotiations of Ghent; peace was in fact made without the formal acquisition of any one of the objects for which hostilities were commenced; but, on the other hand, our national honour was maintained; our reputation as first in maritime warfare, and the equals in courage of our British ancestors, established; while the more important result was obtained, that from that time, all feeling other than one purely American ceased to be entertained by our citizens. Up to the war of 1812, the leaven of the old disputes of the revolution was still working, and the most honest politicians could hardly avoid looking to international questions as partisans of either England or France; and, even if no such motive existed in their own minds, their political opponents were sure to charge them with it, and thus force them to defend a position they had not chosen. As an illustration of this state of things, we may refer to the debate which has already been cited upon the Mississippi question, where we find the two parties mutually accusing each other of subserviency to the belligerents of Europe; and fears of the ambition of Bonaparte on the one hand, or complaints of the tyranny of

Great Britain on the other, taking the place of sound argument on American grounds.

We still know aged men who firmly believe that all the federal party were identical with the Tories of the revolution, and others who associate their democratic opponents with the Jacobins of France. The war of 1812 put an end to this state of things. In the contests of party, no question is now debated except on the ground of its bearings on the interests of our own country, and the accusation of being subservient to foreign influence is no longer urged against an adversary, not because the weapon of misrepresentation has ceased to be employed in politics, but because such charges could no longer receive belief.

Clinton filled the office of mayor and performed its functions highly to his own credit and to the advantage of the community. His conduct in presiding over the deliberations of the common council was marked with dignity, decision, and impartiality, warranting the support of his political friends, and conciliating the suffrages of his adversaries. As presiding judge of the criminal court, he secured the respect of the bar for his legal learning and ability; he was prompt in the despatch of business, yet patient in listening to the criminal's defence; while the poor and friendless found in their judge a counsel, the rich and powerfully connected derived from their social advan-

tages no immunity from merited punishment. The latter attribute he had an opportunity of exhibiting in a memorable instance.

At the Commencement of Columbia College in 1811, a disturbance occurred in the church where the ceremony was performed. A student who had been refused his degree in a public manner, found a supporter in one of the audience, who mounted the stage, and appealed to the assemblage from the acts of the provost, Dr. Mason. Others speedily joined in the clamour. The provost, in attempting to restore order, was driven from the stage; and the proceedings of the day, although finished, for form's sake, from the pulpit by the president, were drowned by noise and clamour.

The acts of several of the parties were thought by a grand jury to warrant an indictment for riot, and the accused were tried before Clinton. The cause was defended on the ground of resistance to oppression; and the parties were of such standing and promise—a promise in several of them well confirmed by their subsequent brilliant career—as to excite the greatest interest in their behalf. Fears were even entertained by those who knew not his stern principles of rectitude, that the judge, from his known respect for the popular voice, or under the influence of private friendship, might have failed in seeing the cause in a true light. Such fears

were groundless. While the trial was conducted in such a manner as to allow the accused every means of defence, the charge to the jury pointed out in such clear and convincing terms the character of the offence, that no hesitation was felt in convicting them. In awarding the punishment, Clinton is said to have long hesitated whether he were not called upon by regard to justice to inflict the disgrace of imprisonment as a part. Mature reflection satisfied him that every desirable end could be attained by the imposition of a fine; but this was imposed in an address conveying such severe, merited, and pointed reprimand, as was well calculated to prevent the recurrence of a similar offence by any parties possessed of the feelings of honour and of the lofty intelligence which marked those who had thus become the subjects of his censure.

The most important legal question which came before him as judge of the criminal court, was one having regard to liberty of conscience. A Roman Catholic priest was called upon to disclose what had been communicated to him under the seal of confession. Clinton on this occasion sustained, in opposition to British decisions, the sanctity of that sacrament, as it is held to be by that church, and was subsequently mainly instrumental in doing away, by legislative action, the disabilities to which professors of the Catholic faith were still subjected

by laws and practices arising from British statutes which lay unrepealed.

Clinton, as chief of the police of a large and populous city, appeared to no less advantage than as a criminal judge. At fires, and all unusual assemblages where disorder might be apprehended, he was to be found, not to repress riots actually begun, but in time to prevent their occurrence. When the mere majesty of the law appeared to be likely to be insufficient, he took early and prompt measures to have at his disposal a sufficient civic force, and for calling on the uniformed companies as a reinforcement in case of need.

As an instance of his promptitude in such cases, the riot in James-street may be cited. This had begun in boarding-houses for seamen; and that brave, but thoughtless and turbulent race, had beaten and put to flight the police. On receiving intelligence of the fact, Clinton, after making provision for calling out the troops, hurried to the spot attended by such civil officers as he could muster. On his way through Chatham-street he met some officers of the fourth regiment of militia, which had paraded that afternoon at Corlaer's Hook, and had just been dismissed. Collecting these to the number of about a dozen, he formed them in a line across the street, placed the band which had attended the regiment behind them, and, ordering it to play a charge, led the way to

the scene of riot. The mob, aware of his presence, and deceived by the judicious exhibition of force when there was in reality none, dispersed without resistance, and the leaders were captured. A few minutes' delay would probably have rendered it necessary to have recourse to bloodshed. As it was, he gallantly exposed himself to no little personal risk.

As the probability of a war with Great Britain increased, those, who recollect the tumultuous scenes of the breaking out of the Revolution, when law was for a time suspended ; who had heard threats of personal violence uttered against obnoxious persons, which threats were not always vain ; and particularly those who had themselves suffered from the cruelty of the partisans of the British government, began to speak openly of taking the opportunity of the breaking out of hostilities to gratify their long-suppressed revenge. Obnoxious persons were publicly named, and their houses marked out for pillage. In this juncture, Clinton had a difficult part to play. He was a candidate for the presidency in opposition to Madison, while the leaders of the democratic party in the city had espoused the cause of that gentleman. He saw in those who uttered threats his old associates in the democratic party, and among them those who had influence sufficient either to denounce him or secure him its support.

The persons thus threatened were those of the old Tory faction, who had never joined themselves to the democratic party. To such as had, free immunity was granted. By the slightest neglect of precautionary measures, Clinton therefore had it in his power to conciliate old friends and prevent a rupture with them, as well as to punish some of his most active political opponents. Clinton, however, had too high a regard for his duty to slumber at his post. No sooner had the slightest symptoms of popular commotion appeared, than he took the most prompt measures to preserve the public peace. These were successful; but they had the effect of utterly estranging from him the managers of the party with which, from his earliest manhood, he had been associated, and of which he had for years been the acknowledged leader. As he could not be openly blamed for preserving the quiet of the city, he was accused of giving rise to a groundless alarm; and the very persons who pointed out by name the objects of their attack, were now heard declaring that no intention of violence or pillage had ever been entertained.

In the earliest years of his mayoralty, Clinton found himself compelled to exercise the duties of a diplomatist in addition to the various duties with which he was loaded. The renewal of the war between Great Britain and France, if it did not give rise to intrigues, as on the former occasion,

for the purpose of drawing the United States into the contest as a party, placed the country under the necessity of asserting, by steady and impartial measures, its neutral character. The French had, at the breaking out of hostilities, an army and a fleet in St. Domingo. In attempting to withdraw this force in the face of the superior power of Great Britain, single vessels and squadrons touched at the port of New-York. Among the rest, two fine frigates anchored in the bay, among whose officers was Jerome Bonaparte, the brother of the first consul, and subsequently King of Westphalia. The cupidity of the British officers on the Halifax station was increased by the hopes of this rich prize, and a squadron actually entered into the bay in pursuit of them. For a moment, apprehensions were entertained that our waters would have been the scene of a hostile attack, such as the British afterward made the Bay of Valparaiso. Clinton permitted the French vessels to anchor under the guns of Fort Jay; and, to prevent the breach of neutrality consequent on the French vessels being followed out, required from the British commanders a promise not to sail until 24 hours after the French vessels should have proceeded to sea. On this being refused, he issued orders to the pilots not to carry them to sea. In consequence of these decisive measures, the British squadron left the anchorage at the quarantine-ground, and

blockaded the harbour. The French vessels subsequently made their escape through the Sound ; and here again Clinton was compelled to interfere, by directing the commander of Fort Jay to allow them to enter the East River. Numerous other aggressions were committed by British cruisers, which, on more than one occasion, threatened to lead to popular tumults, retaliating on British residents the offensive acts of their countrymen. Among other instances, an American seaman was killed within the jurisdiction of the United Sates by a shot from the Leander.

On the other hand, the French officers exhibited a spirit as little consistent with regard for neutral rights as the English, although they had less power to carry it into effect. Clinton was thus involved in correspondence with the commercial agents of the two belligerent nations ; compelled to adopt measures of military opposition to their aggressions, and, at the same time, to restrain the popular feeling. His course on this occasion is marked with dignity and decision, and his correspondence exhibits his accustomed ability.

## CHAPTER VI.

*Origin of the Public School Society of New-York.—It is Chartered.—Is founded on Private Contributions.—Clinton's Agency in obtaining them.—Gift from the Corporation of New-York, and Grant from the State Legislature.—Reflections on the System of Common Schools.—Turnpike from Poughkeepsie to Kingsbridge.*

WHILE mayor of the City of New-York, Clinton took the lead in the promotion of numerous important public objects. To the aid of these he not only brought his talents as a writer, his personal exertions, and the whole weight of his political influence, but contributed, when necessary, freely from his private purse. Among these, the Free School Association, as well from the direct and immediate benefits it produced, as from having been the first step towards that system which now includes the whole state in its beneficent influence, is most worthy of notice.

The Lancasterian method of instruction was making a great noise in Europe, and excited, in particular, the attention of the members of the Society of Friends. In the year 1804, two influential and benevolent men of this persuasion, the late John

Murray, Jr., and Thomas Eddy, conceived the idea of introducing that method into the City of New-York. Clinton was immediately consulted by them, and saw at once the vast amount of benefit which might be derived from the successful introduction of this system. He therefore drew up the plan of an association, for the purpose of providing gratuitous instruction for such poor children as did not fall within the sphere of any of the charity schools then existing in the city. In the list of this association his name stands first, and he was its first presiding officer.

As a charter was necessary to ensure success, preparations were made for applying to the Legislature; and Governor Lewis made the subject a prominent feature of his message in January, 1805. With wise and liberal views, he went beyond the immediate objects of the association, and pointed out to the Legislature the value of a general system of common schools, backing his recommendation by the authority of his predecessor, George Clinton.

In consequence of this recommendation, and the personal exertions of its friends, a charter was granted in April, 1805, in the preamble to which, Clinton is named as having applied for it. No farther legislative aid was granted at the time; and it became necessary, in order to carry the objects of the association into effect, to have recourse to

private contributions. In the labour of solicitation and explanation necessary for such a purpose, and in the irksome task of begging from door to door Clinton took more than his share. In company with Frederic Depeyster, another of the associates, he called personally upon many of the citizens, and did not cease from his exertions until no more funds could be collected. The list of Depeyster and Clinton exhibited subscriptions to the amount of \$4910.

His influence with the corporation of the city, over whose deliberations he then presided, was next brought into action, and a grant of an old building, formerly used as an arsenal, with a donation of \$2000 in money, was obtained.

In the year 1806, Clinton, having taken his seat in the Senate of the state, was named chairman of a committee to which a petition of the Free-school Society for aid was referred. In this capacity he made a most able and conclusive report, in which the importance of the institution to the public was exhibited in so clear a light, that a bill was passed, by which an immediate appropriation of \$12,000, with an annuity of \$1500 per annum, was granted to the society.

This was the germ of the public schools of the city of New-York, now so flourishing, and the basis on which the great system of common schools throughout the state was founded. The success of

the first public school was unexampled in training up to habits of industry and morality, youth who might otherwise have fallen into idleness and vice. At the end of twenty years from its foundation, it was the proud boast of Clinton, then governor of the state, in a message to the Legislature, that out of the many thousands who had received instruction in the public schools, none had ever been convicted of a criminal offence.

The success of the public school in New-York led to its speedy imitation in Albany and Troy; and the obvious benefits which the several establishments conferred on the community, furnished the most powerful inducements for the accumulation of such a fund as might spread similar advantages throughout the state. It is unnecessary to enter into an exhibition of the immense value which the common schools have been to the State of New-York. Their importance is admitted on all hands; and, where the right of suffrage is universal, the only security for liberty is to be found in an equally universal diffusion of the blessings of education.\*

The common school system has not, however,

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\* The basis of the fund, which has grown to such an extent, was laid in the session of 1806, by a legislative grant of 600,000 acres of public lands; and it has accumulated from this and other sources, until it is justly doubted whether it be expedient to increase it any farther.

yet attained that degree of excellence of which it is capable, and there are certain obvious defects in its management which call for a remedy.

The public school of New-York was originally instituted to supply a positive want. The several religious congregations had, with great liberality, founded free-schools, erecting buildings and purchasing land. Those of the Reformed Dutch, Presbyterian, and Episcopal churches were flourishing, although far from being sufficient even for those in their respective communions. They derived their support from annual collections. The Catholics had also commenced a similar system; and, although possessed of less comparative wealth, exhibited a noble spirit of liberality. When the school fund was first applied, all these institutions received support from it in the ratio of the numbers of their respective scholars, and a generous emulation ensued to raise the character of the education they furnished, as by this alone, in most of the cases, could they obtain a preference from the scholars.

By a most unfortunate change, the whole appropriation was vested in the public schools, and the support afforded by it to those of the several Christian denominations withdrawn. The free-schools therefore fell back to their original state, or were abandoned altogether. Hundreds of active and zealous advocates of education have been with-

drawn from the cause, and the public schools themselves do not appear to have derived any proportionate accession in numbers. The blow has fallen hardest upon the Catholics. The children of this numerous and, unluckily, as a mass, ignorant portion of our population, are thereby debarred, by scruples of conscience, from all access to that education for which they are taxed in proportion to their means. In mere principle, although in amount small, the hardship is as great as that which some of them have fled to avoid in the country of their nativity, that of paying for the support of a clergy whose ministry they repudiate. To say that the schools are open to their children is a repetition of the remark that the Protestant churches are open to them in Ireland; their consciences equally prevent their entering either.

It will be only when all religious feeling can be satisfied, that the great and final step of the school system can be taken, namely, to render it penal in any parent not to avail himself of the benefits it holds out to his children. Such has been the law for centuries in Switzerland, and has been the most efficient cause of the maintenance of its free institutions while in actual contact with the most powerful and absolute monarchies of Europe. They have been supported by their moral strength, long after physical resistance would have ceased to defend them.

So far, then, from withdrawing the benefits of the school fund from sectarian establishments, all denominations of Christians ought to be encouraged to found schools, and be entitled, as formerly, to a proportionate share of the fund. No denomination can except to this; for, as each is satisfied that its own tenets are correct, it ought to be pleased at the diffusion of that intelligence by which its orthodoxy may be tested.

Another obvious defect in the system is its entire separation from all the institutions for education of a higher character. It thus limits those whose parents are not possessed of competence, to the very elements of learning; shuts them out from all the learned professions; and debars them from all chance of attaining political eminence by legitimate means. Under the aspect of the purest democracy, it lays the foundation of an aristocracy of learning, into which the children of the rich alone are admitted.

Those who are conversant with the workings of the two systems, are aware of the wide and impassable barrier which separates those who are educated in the common schools from those who find their elementary instruction in private seminaries, and subsequently complete their courses in colleges. Feelings of contempt on the one hand, and of envy on the other, are fostered; and, on attaining manhood, the youth of the republic are obviously arrayed in two distinct and almost hostile classes.

In order that the common school system should be perfect, it ought, as might readily be effected, to give an elementary education superior to that of any private school, and thus make it the interest even of the richest to send their children to the public schools. It should next be brought into the closest connexion with the chartered academies and colleges, by giving, as a reward for proficiency in knowledge, the right of continuing the studies, begun in the common schools, in the higher seminaries. Some of our colleges have, with great liberality, tendered free scholarships to the trustees of the public schools; but the boon has not produced its proper result, because the intermediate academies are inaccessible.

It is only in this way that a proper supply of competent teachers for the common schools can be obtained. It unluckily happens, that the profession of a teacher does not confer a standing in society which will compensate for its trifling emolument. Teachers in the State of New-York, will alone be found among those who are preparing themselves for professions of a character more respected by the community, or who may have been unsuccessful in such professions. The youth whose talents will fit him for a teacher, will not consent that an occupation, whose professors he sees almost loaded with indignity, shall be the limit of his wishes. We therefore can anticipate no good

result from the establishment of separate schools for teachers; but, if the talented and industrious members of the common schools be passed to the academies, and the most distinguished of them, in turn, to the colleges, many seeking knowledge with more ambitious views, would, in the very nature of things, fall into the body of teachers.

From the time that he became an associate and the first president of the Public School Society of New-York, Clinton was unwearied in his labours to promote the cause of education. As mayor of the city, as senator, and as governor of the state, he made every fair use of the influence of his station to increase the school fund and extend its benefits. Standing almost alone at first, he was joined in the end by such numbers, and the influence finally became so powerful, as to overleap the bounds he would himself have set to it, and to monopolize patronage, of which a part might have been extended, with greater public benefit, to institutions of more elevated character. Thus, while the school system has been so successful that one fourth of the whole numerical population is included in the lists of its pupils, the number of incorporated academies has not increased, nor that of the scholars who attend them. This has reacted upon the common schools themselves, by rendering it impossible to procure a sufficient number of competent teachers.

The communication between the cities of New-York and Albany, so easy while the Hudson River is open, is, during the winter, extremely difficult. This attracted the attention of Clinton; and a petition, drawn and headed by him, was presented to the legislature in the year 1805, for the incorporation of the Highland Turnpike Co., to make a road from Poughkeepsie to Kingsbridge. The charter was granted, and funds nearly adequate to the purpose were raised. By mismanagement on the part of the directors, they were exhausted before the most difficult part of the road was completed. Still, the travel in winter on the east side of the Hudson, which was formerly attended with great danger, has, since the passage of that act, been rendered more easy and safe. This was all that the state of the times and of the art of engineering would permit. Had Clinton been now living, and possessed of the influence he then exerted, we should probably, ere this, have seen our commercial metropolis united with the seat of government by a railroad. The same enlightened policy which dictated the construction of the Erie Canal in 1807, would have urged the necessity of this measure at the public cost, and would not have left the southwestern tier of counties to seek an outlet to the market of New-York through the imperfect and ineffectual method of a chartered company, which, if unsuccessful, would be a total

waste of capital, and if successful, an odious monopoly. The circumstances of the times in which he lived did not call for any exposition of his views on such subjects to the citizens of our own state, but the arguments he addressed to the inhabitants of New-Jersey and Ohio contain much practical wisdom, which is exactly suited to the present state of affairs in New-York.

## CHAPTER VII.

*Clinton is elected a Member of the State Senate.—Incorporation of the Sailors' Snug Harbour.—Law removing the Incapacities of Roman Catholics.—Charter of the Manumission Society; of the Cincinnati.—Grant for an Insane Hospital.—Charter of the Eagle Fire Insurance Company.—Grant for the Defence of the Harbour of New-York.—Academy of Fine Arts Incorporated.—Clinton is named a Director, and subsequently President of the Academy.—Charter of the American Fur Company.—Burial of the Remains of the Prisoners in the Jersey Hulk.*

AT the election held in 1805, Clinton was chosen a Senator of the state for the Southern District, which office he held along with that of mayor of the city of New-York. The Legislature, as usual, was not convened until 1806, when he took his seat. We have already had occasion to speak of his acts in this capacity in reference to the Public School Society of New-York. This was far from being the only important object which engaged his attention and received his support. From the first moment of his entering that

body, he took a decided lead in its deliberations, and furnished the draught of many of the laws which originated in the upper house. Some of these are even yet of interest, and require a notice from us, which we shall give in order.

A benevolent individual of the name of Randall, had, by will, bequeathed a property, which has now become of immense value, to trustees, for the purpose of establishing an hospital for seamen, under the name of the "Sailors' Snug Harbour." His heirs, if any could be found, were certainly foreigners; and thus, if the will were void, the real estate conveyed in it must have escheated to the state. It appeared possible that the bequest might be rendered null, from the fact that the will had the air of creating a corporation, by vesting the estate in a permanent body, composed of certain official personages, and not in individual trustees. Other legal difficulties stood in the way, which also required legislative action. Under the conviction that the bequest would be of great public benefit, Clinton introduced a bill conferring corporate powers on the trustees named in the will, and thus removing all doubts as to the title to the property. This corporation, after having carefully nursed its property for several years, has at last been enabled to carry into effect the intentions of its founder; and the name of Clinton might, with propriety, be placed alongside of that of Randall,

as having secured the application of his legacy to its intended object.

Under the royal government of the colony of New-York, certain laws had been passed intended to prevent the settlement of Roman Catholics, or, at least, debarring them from the privilege of voting. These disqualifications still existed; for the forms of abjuration intended to operate against Jesuit missionaries were retained at the revolution as a security against those who were unwilling to disavow their allegiance to the King of England. By the exertions of Clinton, a law drawn by himself was passed, which repealed the provision offensive to the conscience of Roman Catholics.

An association for promoting the manumission of slaves had existed for several years in the city of New-York, but had not obtained a charter. An act of incorporation was now introduced by Clinton and passed. He also drew and introduced a bill to charter the Society of the Cincinnati. This association of the officers of the revolutionary army had been held together by the mere consent of its members, and is still prevented from fulfilling, in a beneficial manner, the charitable objects of its institution. It had at one time been held up to the public as an attempt to found an order of nobility, and had been stigmatized as aristocratic; although, in fact, no more than an association for social and benevolent pur-

poses. So great was the prejudice which had been excited against it by these gratuitous attacks, that it does not appear probable that any member of the democratic party, except Clinton, would have had the courage to propose that it should be incorporated.

The attempt to obtain a charter for this honourable and praiseworthy association failed; for even the influence of Clinton, and his entire possession of the confidence of the democratic party, were insufficient to overcome the feelings of distrust with which it was regarded.

It is thus a curious feature in the records of our legislative proceedings, that, while the natives of every European country which has furnished any large number of settlers have been incorporated by charter for mutual relief and for keeping up the recollections of their *fatherlands*, with the provision for continuing the privilege to their children, the officers of that army by which the independence of our country had been achieved should be denied a charter. Those who opposed the association at its beginning feared that the feelings of gratitude so justly due to those who had spent their blood, their fortunes, and the prime of their life in the revolutionary contest, might have invested them and their descendants with the influence of an order of nobility; but they did not foresee that in this case, at least, America was to

furnish no exception to the proverbial ingratitude of republics.

Up to the year 1806, the State of New-York had possessed no hospital for the treatment of insane patients. The severest infliction with which the human race is visited had its victims thus exposed to unnecessary restraints and cruel inflictions. The trustees of the Hospital in the city of New-York now applied to the Legislature for aid in effecting the humane object of providing an asylum for the lunatic. The petition was referred by the Senate to a committee, of which Clinton was chairman. He made a report, in which the necessity of legislative assistance was forcibly set forth, and, in conformity with the report, grants were made, which enabled the trustees of the Hospital to erect and support an asylum for the insane. By means of this grant, a splendid and commodious building has been erected at Bloomingdale, where it stands as a monument of the wise beneficence of the Legislature.

Among the scourges to which the City of New-York has been exposed, one of the most destructive is fire. The inflammable nature of the materials employed in building, together with the necessity of providing against the severity of our winter climate, has made conflagrations of frequent occurrence and destructive violence. The system of mutual assurance had been adopted as

a partial remedy, but the more economic mode of ensuring at a fixed premium could at that time be only effected through the agency of a company established in London. The public convenience called loudly for a local institution, which should undertake this important and useful business. The main difficulty was to find persons of sufficient capital who would be willing to become liable to the full extent of their property in a business of so great a risk ; and there was, as yet, no instance of the business having been conducted by a charter, under which the associates would be liable only to the extent of their subscriptions. To meet the case, Clinton, at the request of a number of respectable inhabitants of New-York, drew, and procured the passage of, the charter of the Eagle Insurance Company. This has since served as the model for the incorporation of a number of other companies, which have been of great benefit to the community, and yielded good profit to their stockholders, until, after the lapse of 30 years from the establishment of the first, their capitals were swept away by the great conflagration of December, 1835. Even then they were the means of preserving many of the mercantile community from entire destruction.

The difficulties of which we have spoken, which arose from the acts of British and French cruisers, were in a great measure owing to the exposed

condition of the Bay of New-York. The only work of any consequence provided by the general government for its defence was Fort Jay, on Governor's Island. The city was in a measure safe from aggression, except by a strong force, by batteries on the water's edge, but the safe anchorage at the Watering-place was wholly exposed. Here the British actually impressed seamen, and the French broke by force the sanitary regulations of the quarantine; while, as we have seen, fears were entertained that an attack would have been made on vessels under the very guns of Fort Jay. The general government showed a culpable negligence in respect to this question. The importance of New-York in a military and commercial light, has, in general, rather excited the jealousy of other states than led to liberal measures for its protection. It was obvious that it was only by fortifications at the Narrows that security from the unpunished violation of our interior waters could be obtained. To this object Clinton turned his attention, and drew up an able report on the defence of the harbour of New-York. This was presented by him to the Senate, and led to the passage, in 1808, of an act containing an appropriation of \$100,000 for the defence of that important pass.

Military critics have since found fault with the selection of the position where this fortification was erected. In this criticism they have forgotten

the object for which it was erected, which was to command and cover the Watering-place and Quarantine ground, not to attempt the much more difficult task of closing the Narrows to the entrance of a foreign fleet. For the first of these objects, the position chosen is sufficient, and the only one that is so ; while, in the second, it forms an essential and all-important feature. The occupation of Staten Island in such a manner that it cannot be easily seized by an enemy, is, besides, a most important object in the defence of the City of New-York. It formed, in 1776, a species of *tête de pont*, in which the British forces were quietly collected as they dropped in from a long voyage, and where they were organized and recruited in health for their final attack through Long Island.

In the commission named for fortifying the Narrows, Clinton's name appears, and he filled an important place in its deliberations, although the details of the fortifications themselves necessarily fell to the charge of the chief-engineer of the United States, General Williams.

As early as 1801, an association had been formed in the City of New-York for the encouragement of the fine arts. Liberal contributions had been made by individuals, and a fine collection of casts from the antique had been procured. In addition, Vanderlyn had been employed to make copies of some of the best pictures in the Louvre,

while Napoleon, at that time First Consul of France, had presented, through Chancellor Livingston, a splendid collection of engravings. The institution had languished for want of a local habitation, and its administration was impeded by the want of legal facilities. Clinton now took this institution under his protection. He obtained a charter for it, and a grant of apartments in the Government House. This building had been erected on the site of Fort George, for the residence of the chief magistrate of the state, but had become useless in consequence of the removal of the seat of government. In the apartments thus granted, the casts and pictures were arranged and opened to the public ; and, although they excited but little notice at the time, their influence was felt in the formation of public taste, and gradually extended itself, until the City of New-York has assumed a high rank both for the patronage and the practice of the fine arts.

Clinton was named a director of the Academy in the charter, and continued to hold that office by annual election until the death of Chancellor Livingston, who was the founder and the first president. He was then elected president of the Academy, which office he held for several years, but, with great judgment, permitted the active duties of that station to be performed chiefly by Colonel Trumbull, who was so well fitted, from his reputation as an artist, to hold the first rank in

such an institution. This institution, after fulfilling its object, has given way to an association of artists formed in its schools.

The Fur-trade of the West had been monopolized in a great degree by British subjects. These had spread their posts far to the south into the American territory, and could not be met on fair terms of competition for want of united action on the part of the American traders. Mr. Astor, so celebrated for his extended and comprehensive views of commerce, was willing to apply his own capital and talents to the important object of recovering this valuable trade from a rival, and soon to be a hostile nation. From the general government, however, under a strict construction of the constitution, he could not obtain the necessary powers wherewith to found a company; but as New-York would be the place of shipment and the necessary centre of operations, a charter from this state was considered by him as adequate to the purpose. He therefore petitioned the Legislature for an act of incorporation. This was drawn by Clinton, and by his exertions it became a law. Since that time the American Fur Company has not only been a profitable concern to its stockholders, and thus added to the general wealth, but has been of great value to the country. It has excluded the foreign influence, which had extended itself over the savages within our own borders, and has done

more than arms to preserve the peace of an exposed frontier, and render the pioneers of civilization safe in their adventurous pursuits.

During the Revolutionary war, the prisoners taken by the British army, as well as many persons seized under a charge of treason, had been confined in a hulk anchored in the Wallabout Bay. The miseries of these floating prisons have been a fruitful theme of complaint on the part of all nations who have been engaged in war with Great Britain. Security seems to have been the only object in view, unless the demoniac pleasure of lessening the number of enemies by a lingering death can be believed to have existed. The sufferings which have in all cases attended confinement in British prison-ships, were aggravated on this occasion by the nature of the contest, and the fact that the jailers were in most instances rather political opponents of the prisoners, who sought to compel them to abandon their principles than public and honourable enemies. Whatever may have been the cause, the mortality in that vessel was unexampled, and the corses of the unfortunate sufferers were hardly treated with the ceremony of a handful of earth to protect their putrefying remains from the public gaze. For nearly a quarter of a century, the unburied bones of these martyrs to their principles remained the reproach of their tyrannical destroyers and the

disgrace of their ungrateful countrymen. Clinton felt the latter in no small degree; and, to remove the blot on the national fame, proposed a law for giving burial honours to the remains. This was passed, and was carried into effect. Unluckily, in its execution, an attempt was made to give it a party character, and to employ it in arousing or perpetuating a feeling of hostility to Great Britain. All those who doubted the policy of entering into a war with that country, were therefore debarred from uniting in the ceremony; and, by a want of ordinary good taste in the committee of arrangements, what was meant to honour the worthy dead overpassed the step which separates the sublime from the ridiculous. No error of management, however, can do away the merit of the sufferers, or detract from the feeling which influenced Clinton in proposing due honours to their unburied remains.

## CHAPTER VIII.

*Important Laws drawn by Clinton while Senator.*

—*His Opinions as a Member of the Court of Errors.—He Receives a Challenge for words spoken in Debate.—His Manly and Dignified Conduct on that Occasion.—Attempt at Corruption in obtaining the Charter of a Bank.*

CLINTON continued to be a Senator of the State until 1811, when he was elected lieutenant-governor, and thus called to preside over the deliberations of the body of which he had so long been a member. We have already seen that he was the mover, and influential in procuring the passage, of many important acts. Among others, which were also drawn by him, and which are of sufficient moment to be recorded, are :

An Act to provide for a State Arsenal.

An Act relative to the fortifications erecting by the state.

An Act for laying out Canal-street in the city of New-York.

An Act respecting a digest of the public laws of the state.

An Act to enlarge the powers of the Orphan Asylum Society.

An Act to amend the insolvent laws.

An Act to prevent the inhuman treatment of slaves.

An Act to prevent the farther introduction of slaves.

An Act for the support of the Quarantine establishment.

An Act to incorporate the New-York Missionary Society.

An Act to revise and amend the militia laws.

An Act to incorporate the society for the relief of poor widows with small children.

An Act for promoting medical science.

An Act respecting the Free-school Society.

An Act for the partition of Haerlem Commons.

An Act concerning the Onondago Salt-springs.

An Act for the farther encouragement of free-schools.

An Act for the better protection of sheep.

An Act securing to mechanics and others payment for their labour and materials in the city of New-York.

An Act to establish a register's office in the city of New-York.

An Act to set apart certain apartments in the Capitol for public purposes.

An Act for the benefit of the Orphan Asylum (by which an annuity of \$500 was granted out of the auction duties).

An Act to prevent abuses in actions *de homine replegiando*.

An Act for abolishing the Court of Exchequer.

An Act to prevent frauds at elections.

An Act to incorporate the Humane Society.

In introducing several of the bills which became the foregoing laws, Clinton presented able and luminous reports, or prefaced the propositions with powerful speeches. He also drew, on several occasions, the answer of the Senate to the speeches of the governor. In one of these, presented in 1810, is to be found one of the best arguments in favour of our republican institutions, with an eulogium on the excellence of that system of government "which recognises the people as the source, and their happiness as the object of all legitimate authority."

On the retirement of Jefferson from the office of president, an address was voted to him by the Legislature of New-York, which measure was proposed, and the address drawn by Clinton.

In addition to the acts which have been cited, he drew and procured the passage of others in encouragement of literary and scientific objects, as well as others in reference to internal improvements, on which subject he also wrote and presented reports. We have omitted these for the present, as we shall have occasion hereafter to examine his agency in the cause of science, and

his services in promoting our system of internal improvement more at length.

The Senate, with the chancellor of the State and the judges of the Supreme Court, formed, and still form, a tribunal of ultimate resort, under the name of the Court of Errors. This tribunal is of great value among our institutions, as it not only furnishes the means of cool and deliberate adjudication in points of law, but, from its mixed character, affords a means of correcting so much of the common law as, by the progress of society, becomes unsuited to the existing state of things, and of substituting principles of broad and universal application for the mere technicalities of legal forms. In the deliberations of this tribunal Clinton bore an important share.

As early as 1802, when serving for his first term in the Senate of the state, he delivered an opinion on a most important question, and settled the law on that subject. The trade of the United States had become an object of pillage to both belligerants, and this pillage was legalized by the decisions of petty admiralty courts, which rarely failed to find pretences for condemnation. The merchants sought protection by insurances at exorbitant premiums, but were likely to derive no advantage from this precaution. The English judges had decided that the decrees of admiralty courts were not open to revision; and thus, when the as-

signed cause of condemnation was not among the risks expressed or implied in the policy, the sufferer would have had no redress had this principle been adopted as a part of the common law of the State of New-York. The inferior tribunals, governed by the English decisions, refused to inquire whether the assigned cause of condemnation were true or false; and, as such pretended cause was of course one which was inconsistent with an observance of neutrality, the policies could not have been recovered.

When these questions came before the Court of Errors, it decided that the decisions of courts of admiralty were, like those of other tribunals, open to examination. The very act of pillage and oppression, which had before been a bar to the recovery of the loss, was thus made a risk which could be covered by insurance. The proceedings in the American courts under this decision could be made the grounds of a claim for indemnity to the underwriters from the foreign government; and this opinion of Clinton's has, after the lapse of upward of thirty years, been the direct cause of a claim being successfully urged against the French government for the spoliations committed by Napoleon. Had the American courts of law admitted, even by implication, the justice of the decrees of the admiralty tribunals, it must have been a bar to any redress, except in the small list of cases in

which even the mockery of legal process had been dispensed with. In the negotiations which continued for so long a time before redress was obtained, the French diplomatists drew, on this very ground, a broad distinction between the two sets of cases; and, could they have supported their argument by the adjudication of American tribunals, it is not difficult to believe that all indemnity would have been refused. In this decision, therefore, Clinton not only conferred an immediate benefit on the mercantile community, but paved the way for the indemnification of the underwriters.

In 1807 another case of great importance to the merchant was decided in the Court of Errors. In this Clinton delivered the opinion concurred in by the majority of the court, in opposition to the views of the judges. At that time American citizens were permitted to own vessels, which, from being of foreign build, or having lost their national character by capture and condemnation, were not entitled to be registered. To secure such property from capture, the executive of the United States had directed the officers of the customs to furnish them with papers under the name of sea-letters. A law of Congress had subsequently enacted, that the evidence of ownership should be afforded by a paper called a passport. In the practice of the custom-house, the papers furnished

first under the executive instructions, and subsequently under the laws, were made identical. Thus, while the mercantile community continued to call the document a sea-letter, the custom-house issued it under the law authorizing the granting of passports. In a case arising out of this confusion of terms, Clinton led the decision of the Court of Errors by an opinion in which the broad principles of justice triumphed over the narrow views of legal interpretation.

During the same session, a case arose involving the nicest technicalities of special pleading; and here Clinton exhibited as much knowledge of the logic of legal argument, as he had, in the former case, shown of the basis of natural right on which alone laws ought to be founded.

An estate of great value in the neighbourhood of New-York, left by Nicholas Cruger to his heirs, had unluckily become the subject of litigation. The widow had married again, and his children by a former marriage naturally felt indignant at seeing the property of their father likely to be thus diverted to strangers to his blood. The case was involved in great difficulty, in consequence of one of the largest pieces of the real estate having been leased for the term of two joint lives and that of the survivor. It became necessary, therefore, in the valuation for a division, to introduce the estimate of the probabilities of life. Clinton discuss-

ed this complicated subject with his usual ability. It is unnecessary, however, for us to enter into the merits of this case, for means were found to continue the litigation ; and the suit was not finally settled until the dropping of both the lives rendered all that had been done useless.

The law of libel in the United States has undergone great alterations, in order to conform it to the spirit of our institutions, from the strict rule which the British common law has sanctioned, that “the greater the truth the greater the libel.” In that country, to publish even the truth in respect to parties of distinguished rank becomes a crime of no little magnitude ; and even among equals the truth of the publication is no plea in mitigation of the punishment awarded to a libel as a crime, however strongly it may influence a jury in the estimate of damages in a civil action. A suit commenced against the notorious Cheetham was carried up to the Court of Errors in 1805, and afforded Clinton a farther opportunity of exhibiting his judicial acumen.

His last decision was in the case of John Van Ness Yates. This person had been committed by Chancellor Lansing for an alleged contempt of court, and had been released under a writ of *habeas corpus* by a process at common law. No sooner was he freed from imprisonment than he was forthwith recommitted by the chancellor. He,

in consequence, brought an action against that high judicial officer for damages, and was defeated on a point of law in the Supreme Court. In attempting to remove the cause by a writ of error from the Court of Errors, he was met by an order of *supersedeas* from the chancellor, and his proceedings were stopped. The question was, however, brought in the form of a suit between Yates and the State before the Court of Errors, which decided, in conformity with an opinion delivered by Clinton, that the writ of error issued of right, and could neither be withheld at the pleasure of a judge, nor stopped by any process issuing from the Court of Chancery. The importance of this decision is manifest, and the opinion of Clinton is marked by a profound knowledge of the history of the common law, and an acute perception of the variations which the peculiar nature of republican institutions must necessarily introduce into it.

In the words of that distinguished jurist Chancellor Kent, "some of these opinions are models of judicial and parliamentary eloquence, and they all relate to important questions affecting constitutional rights and civil liberty."

While a member of the Senate, Clinton had an opportunity of vindicating the freedom of debate, and maintaining the immunity of members of a legislative body from personal responsibility for words spoken in its deliberative proceedings. On

the discussion of a law for granting the right of holding real estate to certain aliens, Clinton felt it his duty to comment on the conduct of one of them to his tenants. It is to be remarked, that the grant of such privilege is contrary to the policy of most other countries, and that Great Britain in particular, to whose subjects such grants have most frequently been made by the State of New-York, has been the most illiberal in its escheats of the inheritances which, in natural course, would have passed to foreigners. The person whose conduct was commented upon sought what is styled satisfaction for the attack by sending a challenge. Such is the code of modern honour, that he seems to have calculated almost with certainty that Clinton, who had not yet abjured its bloody rule, would not have hesitated to give him a meeting. It had indeed been the practice, in too many instances, to submit disputes to a decision by arms; and the immunity of legislators for words spoken in debate was not regarded in the courts of honour.

There are, no doubt, instances where attacks on character become cowardly when shielded by parliamentary privilege; but this was not one. The facts stated were no more than the simple truth, and the case called for their disclosure. Men of less moral courage than Clinton might, however, have hesitated, and feared a loss of reputation from refusing a challenge; and it has been

often remarked, that a greater degree of cowardice has been shown in the acceptance than would have been exhibited in declining to fight a duel. The fear of “the world’s dread laugh” is often greater than that of loss of life, and has in many instances prevailed over the obligations of morality and religion. It was, in fact, necessary that some person of standing and reputation, equal to that of Clinton, should interpose the authority of his example to correct the mistaken notions of honour which prevailed.

It was, fortunately, unnecessary for him to exhibit proofs of personal courage. He had, on another occasion, done all that the nicest casuist in points of honour could have demanded; and although his lending his countenance to the practice of duelling is, if capable of any excuse, not to be vindicated in the eye of religious feeling, he had established a character for undaunted bravery.

Clinton, on a full view of the subject, saw that he was precluded from giving his challenger a meeting by considerations other than those of bare privilege. He therefore laid the whole matter, without delay, before the Senate. The parties concerned in the challenge were forthwith committed to the custody of the officers of the house, whence they were not discharged until they had made an humble apology for the breach of privilege.

So high did parties run, and so completely did they blind one portion of the community to a true perception of the matter, that much blame was at the moment poured upon Clinton for a course, a deviation from which must have loaded him with severe censure, and left an indelible spot on his fame. The acceptance of the challenge would have placed his adversary on the vantage ground, and, whatever had been the result, Clinton would have fallen in the estimation of the thinking part of the community.

At the present day, no difference of opinion on this point exists. It is admitted on all hands, that Clinton on this occasion not only maintained with intelligent firmness the freedom of debate and the privileges of the deliberative body of which he was a member, but pursued the course most consistent with his own reputation and the dignity of his character.

On another occasion, he vindicated with signal determination the dignity of the body of which he was a member. The privilege of banking, under an act of incorporation, had hitherto been granted by the Legislature with great parsimony. In the city of New-York, no more than one bank had received the direct sanction of that body, and another had exercised the powers by a free construction of privileges granted avowedly for a very different purpose. It is foreign to our pur-

pose to compare this rigid course with the open and liberal plan which has recently been introduced ; it is sufficient to say that a charter was of great value on account of the difficulty of procuring it. In the attempt to obtain an act of incorporation for a new bank, money, promises, and other means of corruption were not spared. Among other agents, a member of the Senate itself was not free from the suspicion of acting from corrupt motives, and was notoriously the channel by which others were tempted. As soon as Clinton became aware of the circumstances, he moved an inquiry into the conduct of his colleague, and, after some proceedings in prosecution of this inquiry, the senator found it expedient to resign his seat rather than incur the consequences of an examination.

Clinton thus boldly attempted to stem at its source that current of corruption which afterward degraded the state, and gave birth to that third estate, "the lobby," which, although unknown to the constitution and laws, has at times controlled the actions of the constituted chambers.

## CHAPTER IX.

*Literary and Scientific Pursuits of Clinton.—Historical Society; his efforts in its behalf, and his Address on the History of the Five Nations.—Literary and Philosophical Society formed, and Clinton chosen President.—His Inaugural Discourse.—His Discovery of a Native Variety of Wheat, and other Contributions to Natural Science.*

WE have had occasion to mention the bias which Clinton exhibited in the early part of his career to scientific pursuits. Of these and of literature, he became, as his influence was extended, the active patron, while he did not cease to devote his brief intervals of leisure to their cultivation by his own labours. The Historical Society was established in the City of New-York in 1804 by a voluntary association. The venerable Egbert Benson was its first president, and had attempted to direct its action to the traditional lore of which he himself possessed so ample a fund. It was not found practicable, however, by means of the limited contributions of individuals, to accumulate sufficient funds for the furtherance of its objects, nor would the friends of the distinguished dead intrust their

memorials to an ephemeral association. In order to enable this society to accomplish its avowed and praiseworthy objects, Clinton, to whom a petition for that purpose was referred in 1809, drew an act of incorporation, which he presented, along with a strong and able report in its favour. This report was adopted and the charter granted. Not content with this, he in 1814 framed a memorial to the Legislature on behalf of the Historical Society. In this, after dividing the civil history of the State of New-York into four epochs, he shows in what a scattered state even the records were, whence alone an authentic history of these several periods could be derived. The Indian tribes were fast disappearing before the moral force of civilization; the mounds, ramparts, and tumuli of a yet earlier race were yielding to the plough and harrow; while the records of the official treaties between the Five Nations and the colonial authorities were in the hands of an expatriated family.

The history of the emigrants from Holland and of the Protestant families of Belgium, who had preferred to encounter the dangers of the seas and the terrors of the wilderness to submission to the bloody rule of Alba, were in the archives of the Dutch West India Company. Much of the manuscript history of the British colonial period was in the public offices of London, or transferred to the library of the British Museum. While, even

for the period which had elapsed since the revolution, no provision had been made for the preservation of the pamphlets, the periodicals, and the daily publications, which, however they may be despised after their first ephemeral interest has subsided, become, after the lapse of years, the vivid expression of the feelings, the manners, and the principles of the era which gave them birth.

This memorial was favourably received by the Legislature, and led to a grant of twelve thousand dollars in aid of the funds of the society.

The grant was to be received from the avails of a lottery, and the society unluckily engaged its credit in the purchase of books and of manuscripts ere it was known how distant and precarious were the proceeds of this mode of raising money. It thus became involved in a debt which was not extinguished without many and severe sacrifices. It had, however, before its usefulness was impeded by the pressure of this debt, published several volumes of transactions, which are of much value. Its library still remains an evidence of the liberality of the state, and a monument of the earnestness with which Clinton furthered such institutions as were intended to add to the permanent reputation of the country.

We have stated that Egbert Benson was the first president of the Historical Society. He was succeeded, in 1816, by Gouverneur Morris, on

whose death Clinton was elected to the vacant chair. On taking his seat, he delivered an inaugural discourse on the history of the Indians of the State of New-York, which is the most valuable paper contained in the transactions of this society.

In the year 1814, a number of gentlemen of scientific taste undertook the formation of a society for the cultivation of literature and the encouragement of science. The projector of this association appears to have been Dr. Hugh Williamson, who had in early life filled a prominent place in the American Philosophical Society, where he had been associated with Rittenhouse in the celebrated observations of the transit of Venus.

In the opinion of Williamson, the increase of population and the central position of New-York rendered it advisable to form an institution having the same objects in view as the society in Philadelphia. He found a ready and efficient coadjutor in Clinton, who conceived it due to the reputation of his native state, and of the city over which he presided, that they should take a rank in scientific pursuits consistent with their wealth and population. In the formation of this society, Drs. Mitchill and Hosack, Fulton, and several other distinguished persons, joined with zeal, together with a number of younger men, several of whom have since become celebrated.

Clinton was anxious that Williamson should be

placed at the head of the new society; but all the other associates concurred in opinion that he himself was best fitted to fill that station, and he was accordingly elected its first president. By his exertions and influence in the Legislature a charter was obtained, and the New-York Literary and Philosophical Society went into operation, apparently under the most happy auspices. Its public proceedings were opened by an address from Clinton, which has been much admired, and which exhibits evidence of the extent of his reading, and manifests the variety of his studies.

Clinton continued at the head of the Literary and Philosophical Society until his death; but the brilliant beginnings of that association were not followed by continued success. The expenses attendant upon its publications were considered a heavy burden by many of the members, who withdrew; even among those who were willing to continue their subscriptions, the political disputes of the day, in which Clinton's name became the watch-word of adverse factions, produced an injurious effect; while, in fine, personal jealousies, and the unpopularity of one of the other officers with many members of his own profession, created an opposition to its proceedings which could not be overcome. A society, which took its rise in the bosom of the Literary and Philosophical, and which was intend-

ed as an aid and not as a rival, engrossed all the communications of those who were most active in science; and, after the publication of one quarto volume and a part of another, its proceedings ceased. It may be fairly believed, that, had Clinton continued to reside in the City of New-York, and had given to the Literary and Philosophical Society the advantage of his presence as presiding officer, the decay into which it has fallen might have been avoided or delayed; but other more important pursuits withdrew him from its meetings, and, with his personal attention, the prosperity of the society seems to have departed.

It may be questioned at the present day how far the success of such an institution is compatible with the habits and manners of the age. The French Institute no doubt flourishes, but it is supported by the direct aid of the government, and its scientific and literary classes receive annual salaries. The Royal Society of Great Britain, if it receive little direct patronage from the government, is able, by the value ascribed by fashion to the letters F.R.S., to call to the aid of its funds any number it may choose to elect of the rich or powerful, from princes of the blood to wealthy merchants.

In spite of these advantages, these institutions have ceased to exert the influence they once possessed. The daily papers, and the monthly and

quarterly miscellanies, make novelties in science as much objects of their pursuit as the political news of the day, and thus frequently forestal the transactions of the learned associations, or give in an abridged form, and at a much lower price, condensed accounts of recent discoveries. Popular and cheap publications, therefore, interfere with the sale of the more costly volumes in which the societies give their transactions to the world.

In the establishment of the Historical and the Literary and Philosophical Societies, particularly in the munificent grant he obtained for the former, Clinton exhibited a character very different from almost any other American statesman. He is among the few who seem to have seen that the money expended in the support of such institutions is not lost, but will shortly be repaid with interest. In conformity with this enlightened and liberal view, he gave to these societies the benefit of his pen in drawing their charters ; his aid as a member of the Legislature in procuring the passage of their acts of incorporation ; and devoted to their prosperity no inconsiderable share of his time and talent. In these associations, the advantage to be derived from his high political standing, and lofty reputation as a statesman and magistrate, were fully appreciated, in securing unity of action and harmony among persons necessarily rivals. There were those, however, who could not brook the control

of one whom they styled a *layman*, and united with his political opponents in an attempt to ridicule the holder of such apparently incongruous offices. He was, at the same time, president of the Academy of Fine Arts, of the Historical, and of the Literary and Philosophical Society ; but as he had only accepted these stations with a view to the public benefit, he yielded to the first appearance of discontent. In the Academy he gave way to Colonel Trumbull, and in the Historical Society to Dr. Hosack. The result of his resignation was disastrous to the interests of both institutions. The distinguished men we have named did not possess, in the eye of the public, the decided superiority over their associates which Clinton was always able to maintain, and both institutions decayed from the moment he ceased to preside over their deliberations.

If Clinton applied his hands to the practice of none of the fine arts, he was, notwithstanding, their liberal patron, and a connoisseur of no little taste ; his contributions to the history of the aborigines of our state may well place him on a level with any writer of that class which America has produced ; and his hundred speeches, addresses, and reports, sufficiently exhibit his literary abilities. As a cultivator of philosophy, in the sense in which it is familiarly received, he ranks still higher, and was, as we have already stated,

not only a diligent student in natural history in its several branches, but made several interesting discoveries.

In the first volume of the Transactions of the Literary and Philosophical Society, he published some remarks on the fishes of the western waters of the State of New-York, in a letter to his friend Dr. Mitchill. In this he illustrates the fact, now so well known, that, in variety, in abundance, and in delicacy, they are not surpassed by any in the world.

In the first part of the second volume of the same Transactions, an article by Clinton is inserted on certain phenomena of the great lakes of America. These he is inclined to attribute to volcanic action. In the same volume we have a memoir by him on the antiquities discovered in the western part of the State of New-York.

To the New-York Medical and Physical Journal he communicated some remarks on the *Columba Migratoria*, the passenger or common wild pigeon; a bird which he deems peculiar to North America, and whose habits and history are very interesting. In the same work may be found an account of the *Salmo Otsego*, or Otsego bass, a fish of peculiar excellence, which is found in great abundance in the lake of that name, where the eastern branch of the Susquehanna has its principal source. This fish, strange as it may seem, had

not been described, and, as its name imports, had been confounded by the uninformed with the genus *perca*, of which bass is the familiar name among the settlers of Dutch extraction.

To the Annals of the Lyceum of Natural History he communicated a description of a new species of fish in the Hudson River, and a paper of some length on the *hirundo fulva*. The first of these, although familiar to all who have seen nets drawn in the bay of New-York, had not been remarked by Mitchill, whose researches had been restricted to the specimens furnished by those who supply the markets ; and, from its small size, it had by many been considered as the fry of a larger fish. In the second paper he gives several interesting remarks on birds of the swallow kind. The migratory habits of the bird in question, and its other peculiarities, are set forth by him in an attractive manner, and illustrated by many facts, the result of close personal observation. His commonplace books abound with extracts from authors who have written on the habits of the swallow, and with memoranda of his own inquiries.

In the discourse delivered before the New-York Historical Society, he evinces with what interest he had studied the aborigines of our country. These “Romans,” as he styled them, “of the Western World” found in him an able historian, and a strenuous asserter of their prowess and tal-

ent. He, besides, investigated, with something of the closeness of medical inquiry, the peculiarities of the physical constitution of the Indian; and among his letters and memoranda are to be found many well-grounded conjectures on the laws of life, as modified in both sexes by the habits of a savage life.

From the freedom from all bias to preconceived opinions with which Clinton prosecuted his studies in natural history, and from the love he manifested to that science, there can be no question that public cares alone prevented him from attaining a triumphant eminence in investigations of this character. In the words of one who well knew him, and was the confidant of his philosophical pursuits, "He loved to dwell upon every incident associated with the labours and services of naturalists; from Hennepin to Kalm, everything was familiar to him; the great Swede was ever a topic of delight, and the heroic achievements of Cuvier the theme of his admiration. So much did he, at a later period, become enamoured of the genius and skill of the modern French school of naturalists that there is reason to conclude, that he would finally have adopted the natural system of Jussieu in preference to the artificial method of Linnæus, and would have chosen the improved nomenclature of the Parisian *savans* rather than that of the English writers, whose works he had studied with

deference, and to whose authority he had originally bowed with submission."

In addition to his communications to American societies and scientific periodicals, he maintained a correspondence with several of the most eminent naturalists in Europe, and, among others, with the late distinguished president of the Linnæan Society of London, Sir James Edward Smith. Of that institution Clinton was elected an associate, as a just tribute to his zeal in behalf of Natural Science. Several of these letters have been published, and exhibit close and accurate observation, followed up by sound induction.

His pursuits as a naturalist were not limited to the narrow object of acquiring individual reputation as a cultivator of the science, but were pursued chiefly in reference to their bearings upon the wealth and prosperity of the state. He saw, by improvident legislation, and the improvement, as it was styled, of sites for water-power, the vast native wealth which existed in the fisheries rapidly decaying; and, in the knowledge of the history of the finned race, he sought the means of preventing their diminution, and, in some cases, their total extinction. He inquired deeply and laboriously into the modes of stocking ponds and lakes with fish, and sought the species best adapted to the purpose. On this subject he corresponded with

the chief magistrate of the neighbouring State of New-Jersey, who had views of the same kind.

The circumstances of Clinton's laborious public career left him no opportunity for applying the result of his researches to practical purposes ; but Governor Mahlon Dickerson, in his philosophic retreat at Succasunney, has shown the practicability of the schemes in which they took so strong a mutual interest.

Impelled by the same patriotic views, he prosecuted an inquiry into the habits and characters of the *zizania aquatica*, or wild rice. This plant, a native of the lakes of America, was, in his opinion, calculated to support an extended population, and worthy of the title of the "bread-corn of the North."

In his tours as canal commissioner he found growing near Utica a species of wheat, which he collected, examined, and described. It is well known that the origin of the cereal gramina, and particularly of wheat, the most important of them all to civilized nations, is involved in obscurity. From the very earliest date of historical records they have been the objects of cultivation, and none of them had been traced with certainty to any native locality. Upon the belief that wheat is found growing wild near the eastern shore of the Caspian, has been founded an argument that central Asia is the cradle of the human race ; and this

circumstance was supposed to throw light upon the early history of mankind. Here was an adverse fact, by which the whole argument was overthrown, or rendered capable of leading to the incredible inference that the State of New-York had been the earliest seat of the progenitors of the nations of Europe and Asia. This discovery of Clinton, therefore, although hardly noticed by his countrymen, procured him much reputation among the learned in Europe ; and the diplomas of many societies founded for the cultivation of natural history were showered upon him.

In this instance, his intimate friend and associate, Dr. Mitchill, was heard to complain, not with feelings of envy, but of admiration, that Clinton had the happiness, by seizing upon a happy accident and making a skilful use of it, to achieve honours and estimation beyond those granted to almost any American. Other observers might have passed this plant as the accidental offspring of the cultivated wheat, while Clinton had the knowledge and the tact of observation by which it was shown to differ sufficiently to disprove such an origin, and yet to fall with certainty into the same species.

In the words of the same scientific friend who has already been quoted,\* "Six, I believe, was the

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\* J. W. Francis, M.D., in his "Discourse before the Lyceum of Natural History."

number of species of *triticum* (wheat) stated by Linnæus. Botanists have now increased the number to 22. If the wild wheat discovered in Oneida county shall be found to be an indigenous and not an imported grain, and of spontaneous growth, we may justly boast of the *Triticum Americanum*. Clinton says that it delights in a wet soil, which is not congenial to the wheat of the Old Continent : it presents not only a different aspect, but appears to have peculiar and characteristic qualities. Should these conjectures be realized, our state may claim the birthplace of Ceres as well as Sicily, where mythology has yielded to her the title of queen ; and the goddess enjoy two special abodes, our fertile West as well as her favourite Enna. A harvest, in more respects than one, awaits the discussion of the question by the American naturalist."

## CHAPTER X.

*Description of the Water Communications of the State of New-York.—Use made of them by the Indians.—Expedition of General Clinton on the Susquehanna.—Views of Lieutenant-Governor Colden.—Tour of Washington to Wood Creek.—His Predilections for the Route to the Chesapeake.—Clinton's liberal Policy in relation to this Question.*

THE Atlantic coast of the United States is separated from the Valley of the Mississippi and the basins of the great lakes by a system of mountain chains. No less than five distinct ranges can be traced, and, in many places, a greater number of ridges are met with in passing from tide-water to the streams of the interior. This system of mountains extends from the frontiers of Canada to the State of Georgia. Its outer chain is made up of a number of short and separate ridges, extending north and south, and is therefore divided by valleys oblique to its general direction, which is northeast and southwest. Through these valleys a number of streams, of greater or less magnitude, make their way; but of these, the Hudson alone is navigable through the ridge for vessels of any magnitude. This river bursts through this rocky bar-

rier in a channel nowhere less than 1000 yards in width, and deep enough for vessels of the largest size; but it does not cut any of the other ridges. The Susquehanna, on the other hand, rising in the State of New-York, and whose western branch has its head at no great distance from Lake Erie and from that of a principal branch of the Ohio, cuts through all the ridges of which we have spoken. No other river makes its way through the whole system; and thus the Valley of the Susquehanna might appear to be pointed out by nature as the proper channel for a navigable communication between the lakes and the Atlantic. This river is, however, so rapid in the lower part of its course, and its upper valley is separated by barriers of such height from the basin of Lake Ontario, that it could neither be navigated by an ascending trade, nor reached by the settlers of the more fertile parts of the State of New-York. On the other hand, the Mohawk, the most important branch of the Hudson, has its course in a valley that opens towards the west, and merges in the basin of Lake Ontario. Its greatest fall is immediately at its junction with the Hudson; and thence, with the exception of an insuperable rapid at the Little Falls, it was accessible to a navigation in small vessels, both in the ascending and descending direction, as far as the ancient Fort Stanwix, the site of the modern village of Rome.

In this vicinity is a swamp, whence, in times of flood, the waters run in opposite directions towards the Hudson and Lake Ontario. A short portage at this place led to Wood Creek, a deep and sluggish stream which falls into the Oneida Lake. The outlet of the Oneida Lake, after receiving the Onondago, unites with the Seneca outlet to form the Oswego River, and through the latter the navigation was practicable as far as Lake Ontario.

This navigation from Schenectady to Oswego was practised by European traders at a very early date. It is even probable that the Dutch, who at first limited their views to traffic, had reached Lake Ontario before the agricultural settlements of the Colony of New Netherlands were commenced. At any rate, the route was well known and practised by Dutch traders before the conquest by the British; and in 1810, the commissioners appointed to explore the country in reference to a canal navigation, found at the outlet of the river obvious traces of the Dutch trading-houses, separate and clearly distinct from the ruins of the fortifications with which the French and English had, in succession, occupied that important position. It appears, however, that in the disturbances which attended and followed the cession to England, the traders, deprived of support, yielded to the growing influence of the French.

The Seneca outlet, which, as we have seen, joins the Onondago at Three River Point, was practicable for boats into the lake whence it proceeds, and through the Cayuga outlet the lake of the same name could be reached. At the head of the Seneca and of Lake Cayuga were the most remote points of the inland communication.

Lake Ontario, whose southern shore affords numerous good harbours, was not unsafe for boats which coasted along it to the Niagara River, where they were carried over the portage to Schlosser, and thence passed into Lake Erie.

A more southern line of communication was also practicable. Leaving the Mohawk at Fort Plain, boats were carried over a long portage to the Otsego Lake, whence they could descend the main branch of the Susquehanna to Chemung Point. Here, entering into the Tioga branch, they might ascend the sluggish stream of that river almost to its source, and to points at no great distance from navigable waters of the Alleghany, an important branch of the Ohio.

The last-mentioned navigation was applied to great advantage during the Revolutionary war. The right wing of the army intended to act against the Indians was assembled on the Mohawk, whence it threatened the confederated nations on the front; but this was a mere feint; for, crossing to the Otsego Lake, it was embarked on

the Susquehanna, and borne upon its current to a junction with the main body of the army at Chemung Point. Thence the united force moved upon the rear and flank of the strategic position occupied by the Tories and their savage allies. The important results of this brilliant military operation are too well known to be repeated here.

The communications of which we have spoken were used with great skill by the five confederated nations of Iroquois, in their wars with hostile tribes. By the Hudson their canoes descended, bearing forces which reduced to subjection the Lenni Lenape or Algonquin races, to the extreme end of Long Island. By Lake Ontario and the Saint Lawrence their war parties penetrated until they met the first French expedition on the Island of Montreal. On Lake Erie they defeated in a naval action, and almost exterminated, a cognate nation. The Susquehanna afforded them the means of replenishing the ranks of the expeditions they sent into Virginia, and which penetrated into North Carolina, where an invading body of Mingoes founded the powerful Tuscarora nation. On the west the Alleghany was the channel by which a perpetual war was waged with the Indians of the Ohio.

In these expeditions a peculiar description of vessel was employed, the bark canoe. This was so light, that, although capable of carrying ten or

twelve men, with their arms and provisions, it could be readily transported over the portages on the shoulders of two of them. The traders of European origin borrowed the mode of constructing these vessels from the Indians, but the Canadian French made a much more extensive and successful use of them than the British colonists. They were also employed in the military expeditions of the French; and, having obtained the command of Lake Ontario, on which they built armed vessels, they formed communications both for commercial and warlike purposes with the Ohio and the more western branches of the Mississippi. In this manner the British colonies were gradually surrounded by a chain of French posts, extending from Lake Champlain to the mouth of the Mississippi.

In the mean time, the merchants of Albany contented themselves with trading with such Indians as actually visited that place, or with selling to the French traders such goods of British manufacture as were absolutely necessary for the Indian market. The idea of a communication for the purposes of settlement, and of the commerce which would thus be created in the productions of agriculture, seems never to have occurred to any one; and no clear estimate of the advantages of a direct trade with the Indians of the State of New-York, by means of parties sent out for the purpose, was formed by mercantile men.

Lieutenant-Governor Colden seems to have been the first to perceive the danger to which the Province of New-York, and others even more remote from Canada, were exposed, in consequence of the influence which French traders and missionaries were acquiring over the Five Nations, hitherto the firm friends, first of the Dutch, and subsequently of the English. He, in consequence, made diligent inquiries into the communications by water which existed in the western part of the present State of New-York, and, having obtained all the information then accessible, made a communication to Governor Burnet, in which he sets forth the dangers of the colonies, and proposes, as a mode of removing them, a direct trade from Albany with the Indians. In this memoir he points out the route from the Hudson by the portage to Schenectady, the Mohawk, Wood Creek, Oneida Lake, the Onondago and Oswego rivers, to Lake Ontario. He then states that a river coming from the country of the Senecas joins the Oswego, and extends to so great a distance as probably to approach Lake Erie. If in this opinion he was incorrect, it still shows his views of the true policy, which was to avoid the waters controlled by, or accessible to, a rival nation, and to seek for communications wholly within the jurisdiction of the colony.

This memoir of Colden was productive of im-

portant consequences. Under the influence of Burnet, the trade with the French was interdicted, and a chain of posts was established along the line of the Mohawk, the Oneida outlets, and Onondago River. Finally a fort was erected at Oswego itself, and occupied by a permanent garrison of troops, raised and supported by the colony. The benefits of the Indian trade were thus secured for the moment to the merchants of Albany, and the fortress of Oswego became an object of jealousy to the French.

At this time the articles of traffic were the supplies for a scanty population, deriving its subsistence from the chase on the one hand, and the valuable article of furs on the other. These articles were of little bulk compared with the value set upon them in their respective markets; and the small canoes of bark, passing through shallow and rapid streams, and transported on the shoulders of men over rough portages, would not have been insufficient for the purpose. Colden seems therefore to have limited his views to this mode of communication, and could not have anticipated the time when the homes of the mighty tribes who had reduced to their sway so much of the present United States, and had alone been capable of resisting the science of European warfare, should be possessed by an agricultural population, become the seat of commerce in the luxuries of

the most distant climes, and aspire to the triumphs of manufacturing industry. For the wants of a people exercising these three great branches of industry, the light and frail barks of the Indian trader are entirely inadequate; and, while we find in his memoir the first good account of the water communications of our state, we see in it no hint of the importance of improving them by artificial means, and of rendering them subservient to the wants of civilized life.

Sir Henry Moore seems to have been the first who extended his views beyond the trade with the Indians. In one of his speeches to the Legislature, he points out the practicability of improving the navigation of the rivers of the state by means of sluices (locks), as in the canal of Languedoc. It is to be remarked, that this communication was made at a time when the parent country was without canals, and that he was, in consequence, compelled to have recourse to the experience of France; and this is, perhaps, the first of the numerous instances in which Anglo-America has, in the project, if not in the completed invention, taken the lead of Britain. This project was, however, in advance both of the spirit of the age and of the wants of the population. The settlers of the Mohawk and Schoharie valleys were too few in numbers to support such an enterprise by their trade, and the Little Falls of the former river were

the farthest limit of agricultural industry. The prolific race of New-England had not yet crossed the Hudson in its search of land; and that the wilds occupied by the Five Nations should become the seat of a rich and industrious policy, was beyond the limit of reasonable anticipation.

Imperfect as were these navigations of which we have spoken, they were, notwithstanding, employed with fatal effect against us in the early part of the Revolutionary war. All the confederated nations except the Oneidas ranged themselves under the British banner, and from their central position alternately invaded the settlements on the Mohawk and on the Susquehanna. Their supplies of arms and clothing were derived from Canada by the way of Oswego, and by this channel the corps of St. Leger advanced, for the purpose of forcing his way through the Valley of the Mohawk to a junction with the army of Burgoyne.

That communications so dangerous in war might be applied to advantageous purposes in peace, was obvious; and Washington, who had watched with anxiety the operations of the British forces, no sooner found a respite from his military toils, than he proceeded along the Mohawk, and examined in person the practicability of forming a union between it and Wood Creek. He also viewed the portage between the Mohawk and the head of the

Susquehanna ; and it is clear that his survey was made in conformity with his favourite view of making the Chesapeake the great centre of the trade of the United States. That it was pointed out for this purpose by nature he firmly believed, and thus his broad views of the general benefit concurred with his local attachments to the region of his nativity. Should we look to natural circumstances alone, we should be inclined to think that he was right. The broad æstuary of the Chesapeake, with its innumerable bays, presents an extent of navigable communication far greater than all the streams of which New-York is the appropriate port. Its shores were then far more fertile than any settled part of the northern or eastern states, and supported a greater population ; and, in addition to the waters already navigable, the Valley of the Susquehanna presented the shortest practicable line of communication by artificial means between tide-water and streams whose sources interlocked with the tributaries of the St. Lawrence, while, through those of James River and the Kanhaway, the Ohio is approachable in the most direct line. It is probably fortunate for the City of New-York that the state of the times was not suited to enterprises of internal improvement while Washington retained his paramount influence both in the councils of the general government and of his native state. It is also fortunate

that the jealousy of the states of Pennsylvania and Maryland prevented, until recently, the execution of a canal in the lower part of the Valley of the Susquehanna ; while, under false views of economy, the improvement of so much of its upper course as lies in Pennsylvania was retarded and opposed. Clinton, however, warmly as he desired the welfare of his native state, was governed by no exclusive sectional views, and carefully weighed the relative advantages of the routes by the Susquehanna and the Mohawk, with a view both to general and local interests. His papers contain memoranda on this subject, which show the attention he bestowed upon it. When, however, the State of Pennsylvania awoke to a sense of its true interests, Clinton furthered, by all the means in his power, the success of an application for facilities by which the artificial navigations of the State of New-York might be brought into connexion with those projected in the Valley of the Susquehanna. Not content with this, he accepted an invitation to visit Pennsylvania, to enforce by his eloquence, and the influence of his presence, the praiseworthy attempts of the patriotic citizens of that state in urging the Legislature to emulate the glories and benefits of the New-York canals.

## CHAPTER XI.

*Western Limit of the early Settlements on the Mohawk.—Claims of Massachusetts.—These Claims are partially Admitted—Influx of Emigration from New-England.—Voyage of the Wadsworths.—State Roads.—Western Inland Lock Navigation Company.—Its slow Progress and unsuccessful Result.—Communication between the Hudson and Lake Champlain.—Northern Canal.*

At the close of the Revolutionary war, the extreme western settlements of the State of New-York extended only a short distance beyond the Little Falls of the Mohawk. Even these had been disturbed and driven in during the war, as was Cherry Valley, which had been the scene of a massacre by the united forces of the Indians and Tories. The settlers of the Valley of the Mohawk, except for a short distance above Schenectady, were all of German blood. A relic of Palatines, driven from the banks of the Rhine by the arms of Louis XIV., had received assistance from the government of Queen Anne, and had been directed to the Colony of New-York. Their earliest seat was on the Schoharie Creek, whence for several years

their only communication with the other parts of the colony was by a footpath, over which their products were carried on the backs of men, as was even the grain intended to be ground for their own consumption. The settlers in the Valley of the Mohawk made use of the river as far as Schenectady, whence a tolerable carriage-road led to Albany.

The cessation of hostilities speedily led to an extension of cultivation as far as the Indian title had been extinguished ; and the enterprising natives of New-England began to turn their eyes towards the new countries of the West, as a receptacle for the swarms of their teeming population.

The State of Massachusetts set up a claim both to the right of soil and of government of all the country not actually occupied which lay north of the forty-second degree of latitude, and thus to all that part of the state which lies west of Utica. A compromise was effected, by which the jurisdiction was held by New-York, but the right of soil to a large portion of the tract was vested in Massachusetts. Much of this was almost immediately sold to parties who undertook to extinguish the Indian title.

The territory which New-York had retained for itself, namely, all lying east of the Seneca Lake, and extending from Lake Ontario southward to a line nearly coinciding with the southern end of the

first-named lake was divided by the Legislature of New-York into lots, which were granted to the soldiers and officers who had served in the State line during the Revolutionary war. The state thus departed from the policy of the colonial government, which had granted large tracts and manors to a few favourites, who had endeavoured to perpetuate the system of leasehold property. Such a tenure was repugnant to the natives of New-England, among whom, in the land of their birth, it was unknown. As the habits of soldiers are rarely adapted to the purpose of clearing and settling a wilderness, many of their lots were speedily offered in the market, and real estate in fee thus became accessible to the emigrant. Even where the great grants made by the State of Massachusetts existed, it became necessary to offer the lands for sale instead of attempting to lease them.

The tide of emigration was thus directed into the western part of the state. Those who proposed to settle embarked at Schenectady in boats, and followed the course of the trader, or of the Indians themselves, through the streams and over the portages we have described.

Among the earliest of these pioneers of civilization were James and William Wadsworth, natives of the State of Connecticut, who left their homes at an early age, and abandoned the society of which, by their education and connexions, they

might have been the ornament, for the purpose of reclaiming a wilderness. The voyage of these enterprising men, by the Hudson, which had not ceased to be regarded as perilous, and through the unimproved water-courses, which have been described, would furnish a tale of no little interest, while the record of their persevering and successful labours would serve as an admirable lesson to the young and ambitious. Understanding fully the prejudices and feelings of their eastern brethren, they saw that no region, however fertile, could allure them to settle in it, if they could not obtain the lands on other terms than those of leasehold. They also knew that the greater part of the emigrating population had no other property than their own strong limbs and resolute spirits, and that thus they could not purchase. They, in consequence, introduced the system of contracts, by which the industrious could be assured of obtaining the fee of their settlements by the fruits of their labours, while the landholder was secured a fair price for his property. This method speedily acquired almost universal adoption, and has contributed in no small degree to peopling the west of the state with a hardy and independent population. It, in fact, did away with all the objections to the immense size of the tracts granted by Massachusetts, which covered all the country west

of the Seneca Lake, and formed what would otherwise have been an odious monopoly.

The modes in which the early settlers penetrated to the more remote points, and by which the foreign products that have become the necessities of civilized life were conveyed to them, were, as may be seen from the account of the original state of the communications, slow and laborious.

The growing importance of the region demanded means of conveyance, which, if not cheaper, should be more rapid, and the state was induced to make a road, which, taking its departure from Utica, was gradually extended to Buffalo. With the state road, two lines of turnpike, the one following the Valley of the Mohawk, the other passing through Cherry Valley, were brought into communication. And, by means of these, the cost of transportation by land was brought to a price as low as that by water, in spite of the improvements which were made in the navigation in the interval.

In the year 1792, a company was chartered under the name of the Western Inland Lock Navigation Company. This association commenced its operations at the Little Falls of the Mohawk, around which a short canal, with a number of locks, was constructed; this was finished in 1796. The next step was to unite the Mohawk with Wood Creek at Fort Stanwix; and, finally, an ob-

struction in the Mohawk at German Flats was overcome by a short cut and two locks. With these works, the improvements of the company ceased in 1799; and, although the charter permitted the extension of its operations to the Seneca Lake, nothing farther was done except in the way of surveys for the improvement of the Oneida outlet. Boats carrying seven or eight tons could, after the improvements which have been mentioned were finished, make their way from the head of the Cayuga and Seneca Lakes to Schenectady; but the voyage occupied several weeks, and was both laborious and dangerous. The labour of men was the principal dependance for progress, as the structure of the vessels allowed sails to be used only when the wind was fair, and as towing-paths did not exist on any part of the communication. The return was still more difficult. The Mohawk, when full, could hardly be ascended at all, and, when less rapid, was so much interrupted by shallows and bars as to cause the most annoying delays, and to render it necessary to limit the upward freight to little more than half of that which could be carried down the stream. Finally, the necessity of discharging at Schenectady, and the long portage thence to Albany, gave to the route by water but little advantage in cost over that by the roads, while it was vastly more tedious.

In this state the communications with the western district remained until the Erie Canal was commenced. That region, expressly suited by nature for the growth of wheat, could not send it to market, because the cost of transportation from all points to the west of Lake Cayuga exceeded the value in Albany. The fertile district beyond this lake was therefore either to be condemned to solitude, or to be thrown into dependance on the British possessions in Canada. But this danger was not limited to the State of New-York; the whole of the shores of the upper lakes, a region of much greater extent and almost equal fertility, was in the same position. A temporary impulse was given to the cultivation of the western district during the war of 1812, when the demand for the supply of the armies brought a market to the doors of the settlers; and now, for the first time, money entered into the operation of trade, which had hitherto consisted of little more than barter and credits on the books of the merchants. In 1810, Buffalo counted only forty houses, while the present site of Rochester exhibited a clearing of a few acres and a single log house.

The statesman who took the lead in procuring the act of incorporation of the Western Navigation Company was General Schuyler. He has not hesitated to avow his obligations for hints derived from Elkanah Watson; but the soul of the

undertaking existed in the enterprising merchants of the City of New-York, who were willing to adventure their capital in this bold undertaking. Among these are particularly to be noticed Robert Bowne, Thomas Eddy, and John Atkinson. The operations of the Western Inland Lock Navigation Company were of considerable benefit to the public, and, until the roads of which we have spoken were constructed, furnished the only channel for trade; but they were wholly unproductive to their stockholders, upon some of whom they entailed ruin, and they ceased to be of any real value to the public after the system of turnpikes was introduced, except by maintaining a competition. The inefficiency of the operations of this company grew out of a radical defect in its plans. The object which was kept continually in view was that of improving the navigation of natural streams in their own beds, as contradistinguished to the method of making an artificial channel to serve as a substitute for the stream throughout its whole course, with its obvious extension into canals over grounds lying far from any natural water-course.

So long as mere preliminary calculations were alone resorted to, it might have been thought best to improve the means afforded by nature; the original cost of such operations is the least, and it might be hoped that the low rate of tolls which

would be the consequence would more than compensate any extra cost in propelling the vessels. By actual trial, however, all such calculations have been shown to be unfounded ; for the difficulties and delays which attend a navigation in the bed of a stream, subject to alternate floods and droughts, are such as to set all calculations at defiance ; and the uniform result of experience is, that the transportation on a canal wholly artificial is far less costly than any attempt at improving the bed of a turbulent and variable river. It is probable, however, that, had this fact been well understood, the Western Inland Lake Navigation Company would never have entered upon its enterprise ; for the capital for a canal even from Albany to Utica could not have been collected among individuals at so early a date, and a knowledge of the true state of the case would have prevented the little that was subscribed from being contributed. The ill success of this enterprise was made use of as an argument against any farther operations ; and it was urged that, where individual enterprise had failed, the state could not hope to be successful.

On the other hand, it was fortunate that this enterprise had not been attended with such profitable results as to induce its proprietors to desire to retain the chartered privileges they possessed, and thus to prevent action on the part of the state. It would, in truth, have been a most disastrous cir-

cumstance had this great line of internal communication become private property. The delays, which the public did not regard, and the obstacles, which the sovereign power overcame with facility, would have disheartened a private association or prevented its progress ; but, in the event of complete success, a monopoly would have been created which would have had interests very different from those of the public, and a continual struggle, fatal perhaps to the one, and injurious to the other, must have been the result.

It has been reserved for the experience of the State of New-York, when compared with that of some of its neighbours, to exhibit the advantage of keeping the great lines of internal communication in the hands of the sovereign power. It has also solved the question of the propriety of contracting a debt to be applied to the purposes of public improvement. The experience of New-York has, indeed, been more fortunate than could have been anticipated ; for the interest of the debt has not only been paid, but the principal in a great measure extinguished by the profits of the enterprise. But it hardly requires a demonstration to prove that, even had the New-York canals failed to pay the interest on their cost, the state must still have derived a benefit, which would have rendered a tax to pay this interest no real burden to the community ; and we shall find it recorded, to the credit

both of the subject of our memoir and of the Legislature of the state, that, when the practicability of the canals was once ascertained, a resort even to direct taxation, that bugbear of aspiring politicians, would not have been a barrier to their proceedings.

Besides the route from Albany to the westward, the continuous valleys of the upper Hudson and Lake Champlain pointed out a channel for an artificial navigation to the north. There was a time when the latter appeared even more important than the former. It was, when the subject of canals first attracted the attention of the Legislature, the seat of a more dense population and more extensive commerce. Circumstances in the soil and climate, however, have prevented this region from increasing in wealth as rapidly as the West. The line of the Hudson attracted attention even earlier than that of the Mohawk, and was intended to have been rendered practicable by a lock navigation, under a charter granted the same year as that of the Western Inland Lock Navigation Company. It was also improved by the state at the same time with the Erie Canal; but the results and consequences of this enterprise fell far short of those of the Western Canal. We shall not have occasion to refer to them hereafter, but can speak of the Northern Canal as a most praiseworthy enterprise,

which has fulfilled every expectation that could have reasonably been formed in respect to it.

It is in its bearing upon the defence of the country that the importance of the Champlain Canal is most apparent. The United States is more vulnerable by the line of that lake and the Hudson than in any other part, and in two successive wars the British government has chosen it for the direction of hostile operations. At present, by the aid of steam communications on the river and lake, and of the canal which joins them, the same army may be ready to act, as circumstances may direct, in the defence of the City of New-York, or on the Northern frontier ; and within four days, a body of troops collected on the seacoast to oppose invasion, may, if the danger of descent be over, be threatening Montreal or moving upon Quebec. The latter is the key of the more valuable British possessions ; and, should hostilities again arise, it is hardly probable that, in defiance of the experience of the late war, the importance of acting against it, to the exclusion of all other objects, will be overlooked.

## CHAPTER XII.

*Earliest Legislation of the State of New-York in relation to Canals.—Petition of Colles.—Report of Jeffrey Smith.—Messages of George Clinton.—Resolution of Judge Forman.—Survey made by Geddes, who first demonstrated the Practicability of a Route to Lake Erie.—Essays of Jesse Hawley.—Resolution of Judge Platt.—Appointment of a Board of Commissioners, of which Clinton is one.—Character of Morris, the senior Commissioner.—Notice of the other Commissioners.*

MUCH discussion has been held, and innumerable tracts have been published, in respect to the merit of projecting or carrying into effect the canal policy of the State of New-York. The greater part of these have grown out of mutual misunderstandings of the terms and subject of the dispute. It never has been doubted, that not only a few distinguished individuals, but even thousands of public-spirited citizens, have contributed, with the whole force of their talents and influence, to the progress and completion of the canals, yet no one of these was either so efficient or so influential as in any way to impair the claim set up for Clin-

ton as having associated his name in imperishable characters with that of the great system of internal improvements, of which the Erie Canal is the chief.

The earliest legislative action in relation to canals in the State of New-York was in 1784. An engineer of the name of Colles, who, before the Revolution, had been employed in an unsuccessful attempt to supply the City of New-York with water, petitioned the Legislature to aid him in an attempt to remove obstructions in the Mohawk River. A favourable report was made, but no legislative action followed. In the succeeding year he obtained a grant of \$125 for the purpose "of enabling him to make an essay towards the removal of these obstructions, and making a plan thereof." During the next session (1786), and, as it appears, in pursuance of the plan of Colles, a bill was introduced by Mr. Jeffrey Smith, of Long Island, "for improving the navigation of the Mohawk River, Wood Creek, and Onondago River, with a view of opening an inland navigation to Oswego, and for extending the same, if practicable, to Lake Erie." This bill did not become a law. In it we find the first idea of extending a navigable communication to Lake Erie, but the route by Oswego and Lake Ontario is evidently the one pointed out.

Governor George Clinton, in the year 1791

called the attention of the Legislature to the importance of internal communications in general. The committee to whom this part of the speech was referred, reported a law, in which, among other things, provision was made for a survey of the ground between the Mohawk and Wood Creek, and farther proceedings were held which led to no valuable result. In 1792, the governor referred to the report made under the law of the preceding session, and again called the attention of the Legislature to the subject. The result of their action has been already spoken of, as the law incorporating the "Western Inland Lock Navigation Company."

From this time no farther action in respect to canals was had, either by the executive or the Legislature of the state, until 1808, when Judge Forman, at that time a member of the Legislature from Onondago county, proposed a concurrent resolution, to direct a survey to be made of the "most eligible and direct route for a canal from the Hudson River to Lake Erie." Judge Forman himself has stated, that he was led to propose this inquiry in consequence of his perusal of the article "Canal" in Rees's Encyclopedia, in which he found a full exposition of the advantages of canals over attempts to improve the navigation of rivers; and that he therefore conceived a preference to a continuous communication, over the extension of the

operations of the Western Inland Lock Navigation Company and the lockage around the Falls of Niagara, for the last of which an act of incorporation had been obtained from the Legislature. The resolution was passed, the survey was made by Judge Geddes, and the perfect practicability of the route demonstrated; yet the discovery of this most important fact led to no result, nor does it even appear to have influenced the subsequent action of the Legislature.

We have now to return to the publication of a series of essays, which, although neglected when published, and for a long time forgotten, had an influence which the practicable plan and available surveys of Judge Geddes had not. Jesse Hawley, in the year 1807, wrote a number of papers under the signature of Hercules, which appeared in the Genesee Messenger. In these essays he proposes a canal from Lake Erie to the Hudson, to be constructed from its origin in that lake to Utica, upon the principle of an inclined plane. His project is founded on the report of Mr. Elliot, the agent of the Holland Land Company, in relation to the character of the mountain ridge, and on the belief that on the northern face of that elevation a continuous level existed throughout the whole length of Lake Ontario. We shall see that this inference was very far from being correct. The plan was a most brilliant conception of genius, but was im-

practicable in consequence of the existence of an unknown but absolutely insuperable obstacle. The quantity of information which is collected in these essays is remarkable, and is even now of great value, both as respects the direct object in view, and the experience of foreign countries. There can indeed be no better proof of the importance of an established reputation in giving currency to a work, than the fact that these essays, so replete with learning and indicative of a high order of genius, should have produced no sensation.

In 1809, Mr. Thomas Eddy, on behalf of the Western Inland Lock Navigation Company, proceeded to Albany for the purpose of procuring the passage of a law authorizing the appointment of commissioners to explore a route for a canal from Oneida Lake to Seneca River, with a view to the execution of the canal by that company. At that moment Judge Platt was the acknowledged leader of the federal party in the Senate, and its nominated candidate for the office of governor. To him Eddy, who was his political adherent, applied for his influence in obtaining the passage of the proposed law.

Judge Platt, who had long been a resident of the western part of the state, and knew, perhaps, better than any other person, its wants and wishes; who had, as it appears, long considered the policy which the state ought to pursue in the premises,

replied at once, "That the company had disappointed public expectation, and that it would be inauspicious to present any project which should be subject to that corporation." As a substitute, he proposed a plan for instituting a board of commissioners to examine and survey the whole route from the Hudson to Lake Ontario, and to Lake Erie also. Mr. Eddy having been satisfied that this plan was to be preferred, it was agreed, on the suggestion of Judge Platt, to call Clinton forthwith into their councils. He, as we have seen, held at that moment a preponderating influence with the democratic party; and, as the object involved no party views, not only Eddy, but Platt also, was satisfied of the propriety of obtaining his sanction.

It is one of those things which augur best for the permanence of our institutions, that, however imbittered may have been the disputes of mere party politics, however loudly the underlings and hack writers of factions may have declaimed against the motives and characters of their adversaries, no sooner does danger threaten the country, or is a scheme of real advantage presented, than the leaders of the opposing parties resort to each other as the most likely supporters of the necessary measures. Here was an occasion in which an astute politician might have seen an easy opportunity of winning popularity and ac-

cumulating electioneering capital ; yet Platt sought Clinton as the first person to whom his scheme was to be imparted. On the other hand, Clinton could not have been insensible to the fact that the scheme was one on which it could be easy, as was afterward done, to shower down the most pointed ridicule, and to convert its proposal by Platt into an engine of political warfare. These distinguished men, however, forgot all except its bearing on the prosperity of their country, and discussed the plan only in its relations to the public welfare. The result of the interview was, that Platt forthwith presented in the Senate a resolution for the appointment of commissioners, and the resolution was seconded by Clinton. By the aid of their joint efforts, the resolution passed both houses ; and Gouverneur Morris, Dewitt Clinton, Stephen Van Rensselaer, Simeon Dewitt, Peter B. Porter, William North, and Thomas Eddy, were named commissioners. Care was taken to take the names alternately from the two opposing parties ; while Eddy himself, who closed the list, although a federalist, was not an active partisan.

Morris was named by Judge Platt in consequence of the high standing which he held in his party. Distinguished by his descent from a family possessed of manorial privileges, and the heir of an ample fortune, he had, at an early age, thrown himself, with all the ardour of youth and the en-

thusiasm of genius, into the cause of the Revolution, and, abandoning his home, had become domiciliated in Pennsylvania. This state he had represented in Congress under the confederation, and had been associated with Robert Morris in the schemes of finance by which the Revolutionary war was brought to a happy issue. In the convention which framed the existing Constitution he had filled a useful place; and, on its adoption, had been nominated by Washington ambassador to France. Here he replaced Jefferson, who was recalled to fill the high post of Secretary of State. While in France, Morris became disgusted with the excesses of the popular party, and disappointed their hopes of gaining the countenance of the representative of the republic whose successful resistance to royal power they for a time held up as a model. When that party acquired the ascendancy, his unpopularity with it was such as to render it expedient that he should be recalled.

On his return he retired to his paternal estate, and rebuilt the mansion of his ancestors ruined by the British troops. From this retirement he was speedily called to represent his native state in the Senate of the United States, where we have seen him at the same time the colleague and the opponent of Clinton.

Morris was endued by nature with all the attributes necessary to the accomplished orator; a

fine and commanding person, a most graceful demeanour, which was rather heightened than impaired by the loss of one of his legs; a voice of much compass, strength, and richness. These natural advantages he had carefully cultivated; grounded in classical literature in a manner far beyond what was then usual in America, he had continued to peruse the orators and poets of antiquity; familiar with more than one living language, he was acquainted with all the best productions of modern literature.

For style as literary productions, and still more for the manner of their delivery, his speeches would have held no mean rank among the productions he studied as models. He thus acquired an influence among persons who were his equals in all but the external graces and embellishments of oratory, which at the present moment appears extraordinary; and with a self-confidence which never deserted him, often arrogated to himself a higher place than they, when out of the sphere of his fascination, would have been willing to assign him.

But, while thus qualified by natural gifts and careful study to acquire an influence, he wanted all the sound knowledge which was necessary in the office to which he was now appointed. With a feeling not unusual in classical scholars, he looked with contempt on the sciences, which

were then beginning to be brought into the service of industry, and which have since produced such astonishing revolutions in the state of the civilized world. If, then, of all men living, he was the best qualified to exhibit in a popular light the advantages with which the adoption of a system of internal improvements would be attended, he was, perhaps, among all who could have been selected, the worst for the purpose of entering into the painful and laborious investigations on which alone a true exposition of these advantages could be founded, and on which the actual practicability of a canal from Albany to Lake Erie would principally rest.

Morris had directed his thoughts at an early period to the navigable communications of the State of New-York; and evidence is extant that, even before the close of the Revolutionary war, he had declaimed with his accustomed eloquence upon the capabilities which existed for the extension of its internal trade. In the year 1801 he had visited Niagara. His route was by the way of Oswego to Lake Ontario, and along that lake to the Niagara River.

The vivid impressions of the scenery, soil, and climate which he received on this journey, are delineated in a letter which he wrote on his return to his friend David Parish, of Hamburg; and in obvious reference to the route which he

had traversed, points out the possibility of making a communication for the passage of ships from the upper lakes to the Hudson.

This letter is a finished piece of eloquence, wanting, in truth, only metrical form to be classed as a fine specimen of descriptive poetry. It has been more than once published, for the purpose of proving him to have been the original projector of the substitution of a canal for the communication by Lake Ontario. But, although the mere words of the passage which speaks of this navigation might be susceptible of such an interpretation, it is very clear from the context that he entertained no such idea.

The idea of ships sailing from the great Western inland seas to the Hudson is in keeping with the lockage of the Falls of Niagara, and the improvement of the navigation of the Oswego and Mohawk Rivers, but it is utterly at variance with the idea of a continuous canal.

Having already given utterance to a prediction that vessels would descend from the upper lakes to the Hudson, it will not surprise us to find Morris entering into the execution of the duties of his office of canal commissioner with a zeal that distanced the more cautious movements of his less excitable colleagues.

We cannot, however, but consider that the enterprise was not furthered by the appointment of

Morris, and that the public mind would have been more easily satisfied of the feasibility of the project of the canal, had Judge Platt permitted himself to be named on the commission instead of Morris. With his sound and steady judgment, it would have been impossible that any plan bearing impracticability on its face should have been laid before the public. Platt, however, seems to have shrunk with innate modesty from assuming the first place on a commission established by a resolution drawn by himself. Here, therefore, all direct agency on his part in the canal policy of the state seems to have ceased; yet he is well entitled to the merit of having made the first efficacious step towards the attainment of the great object of uniting the lakes with the Atlantic.

The remaining members of the commission are well and advantageously known to the world. In particular, Stephen Van Rensselaer ought to be cited, for the long, steady attention which he devoted to the furtherance of internal improvements. From this time to the day of his death he was strenuous in the promotion of the cause, and held, from the date when the actual construction of the canals was commenced, the office of a commissioner. The last person who inherited an entailed estate before the system was swept away by the Revolution, he was for many years the sole survivor of the ancient aristocracy; yet such was the affabil-

ity of his manners and the benevolence of his disposition, that he enjoyed deserved popularity with those most democratic in their principles. Possessed of an estate which had descended to him from the first projector of a settlement for any purpose but trade on the banks of the Hudson, he exercised his powers as landlord with such moderation as to secure the devoted attachment of his tenantry.

In the cause of internal improvement he not only aided by his services as canal commissioner, but lent his powerful name and embarked funds in the earliest project of a railroad, the first link of that chain which, running parallel to the Erie Canal, will, by facilitating personal communication, enhance its benefits.

Simeon Dewitt had served with distinction as an engineer during the war of the Revolution, at a time when the learning required in that branch of the service was extremely rare. He held, from the close of the Revolution to the time of his death, the office of surveyor-general to the state, and under his direction, among other important duties, the great survey of the military townships was accomplished; a work which, from its extreme accuracy, has prevented all disputes about boundaries among the landholders of that region.

Eddy has been already mentioned as a director of the Western Inland Lock Navigation Company,

and was, at the moment, looked to as the practical man of the commission, in which respect the appointment was certainly his due.

Peter B. Porter had distinguished himself by a very able speech, delivered in the House of Representatives, in support of a resolution introduced by himself, directing an inquiry into the propriety of appropriating the proceeds of a part of the public lands to purposes of internal improvement. A resident of the extreme western portion of the state, he had collected a vast amount of valuable information ; and, although he finally differed from his colleagues in relation to the comparative merits of the Ontario and Erie routes, his aid was not unimportant in the early stages of the inquiry.

General North had served with great reputation in the Revolutionary war, and by his talents, his landed property, and the remembrances of his military actions, was deservedly possessed of great influence, both politically and morally.

Of such materials was the commission formed, and the results of its operations justified the Legislature in the wisdom of its selections.

## CHAPTER XIII.

*The Canal Commissioners undertake to examine the Route.—Clinton and others proceed by Water from Schenectady.—Their Progress to Geneva, after a Deviation to Oswego.—Journey by Land to Niagara, and return to Albany by the way of Ithaca.—Meetings of the Commissioners at Utica and Chippeway.—Diversity of Opinion in the Board.—Opinion of Morris.—Clinton's Views prevail in the Board.—Report drawn up by Mr. Morris.—Examination of its Features and Consequences.*

THE commissioners appointed under the resolution of Judge Platt entered forthwith on the duties of their office. Surveys were directed to be made, under the superintendence of Simeon Dewitt, the surveyor-general of the state, who was a member of the board ; and the commissioners resolved to proceed personally to examine the country. In most cases this is an empty ceremony. The best qualified and most practised engineers can decide little by the eye alone ; and those who have not the habit of judging of levels and distances will be wholly at fault. The plans of public improvements must therefore be decided upon in the cabi-

net by reference to accurate profiles and maps, and not in the field. In the present instance, a formal progress of the commissioners through the region to be examined was of vital importance. It was necessary to arouse the attention of the people to the importance of the object, and excite a curiosity which should lead to the study of the benefits likely to flow from the completion of the project.

The expediency of such a progress having been decided, the month of July (1810) was appointed for the purpose; and it was agreed that Morris and Van Rensselaer should proceed by land, while Clinton, with the rest of the commissioners and a corps of surveyors, should take the Mohawk at Schenectady, and follow the existing lines of communication as far as practicable.

The survey of the most important part of the route was intrusted to Judge Geddes, who had already explored a part of it.

Clinton and Eddy left New-York on the 30th of June in the steamboat for Albany. This voyage occupied, as was usual in that early period of steam navigation, upward of thirty hours. The 2d of July was occupied in a meeting of the board, and laying in stores and equipage for the voyage; the 3d in reaching Schenectady, and it was not until the afternoon of the 4th that the party embarked. Two boats were provided for their accommodation, one of which was occupied by the

commissioners, the other by servants and baggage. Of the latter there was about a ton and a half, as it was necessary to carry almost every article of ordinary comfort. The party suffered from having trusted to the sleeping quarters which were presented on the route, and would have experienced less fatigue had it been provided in addition with tents. The boats were of the burden of about ten tons, were provided with sails to use when the wind was fair, and were propelled on other occasions by setting poles. In using these, the men walked along a gangway formed for the purpose on the gunwale, and pressed against the poles with their shoulders. The boats were without decks, but were sheltered by an awning and curtains. The party within had sufficient space to sit and read or write, but there was not room to spread their beds.

The river was low, and, although the boats were light, the passage of several of the rapids was attended with difficulty. Utica, therefore, was not reached until late on the evening of the fifth day.

The parties of Morris and Van Rensselaer occupied the whole of the principal hotel in Utica, and the voyagers took their lodging at another. At the present day the same hotel has been enlarged until it can conveniently lodge several hundred guests, and there are three or four others of almost equal extent. In 1810, the regular public com-

munication between Albany and Utica was by a single daily stage, which was thirty-six hours in performing the journey. From Utica to Geneva the stage ran only three times a week, while beyond that point none had been established.

The freight of goods by the river to Schenectady was seventy-five cents per ton, the carriage by wagon a dollar per ton.

Utica at that time contained 300 houses, inhabited by 1650 persons.

A meeting of the board was held on the 10th July at Utica, which adjourned to reassemble at Rome on the 12th.

At Utica, General North and Judge Geddes joined the party in the boats, and, leaving Utica on the 11th, the commissioners reached Rome the same day. Here the proposed meeting was held, and an incident occurred in the discussion which we shall refer to on a future occasion.

At Rome the routes by land and water separated, and the next place of meeting was fixed for Geneva. The party in the boats passing the cut at Fort Stanwix, entered and descended Wood Creek, traversed the Oneida Lake, and, running down its rapid outlet, reached Three River Point before sundown on the 15th July. Thence they followed the stream to Oswego, which they reached the next evening.

A day was spent in examining the neighbour-

hood of Oswego, and on the morning of the 18th the commissioners proceeded on foot up the bank of the river for five miles, in order to facilitate the passage of the boats up the rapids. Re-embarking, Three River Point was reached at two o'clock on the 19th, and the Seneca River entered. This was found to be a dead and sluggish stream until its confluence with the Cayuga outlet was passed, whence there was a rise of fifty feet into the Seneca Lake. Geneva was not reached until the afternoon of the 24th, and at the close of the twentieth day after leaving Schenectady. Deducting the three days spent in the deviation to Oswego, seventeen days were spent in the voyage, which, as it was performed in light vessels, may be considered as giving less than the average time of passing over this distance by the existing water communications. The same distance was performed by the packet-boats on the canal in thirty-six hours, and by the lighter class of freight-boats it is passed over in about fifty hours. The latter carry with ease from forty to fifty tons, while the capacity of some of the heavy boats, even before the enlargement of the canal was commenced, reached nearly to a hundred tons.

This voyage has been dwelt upon at some length, because it affords a standard of comparison whereby the great advantages derived from

the Erie Canal, in the facility and cheapness of transportation, may be conveniently illustrated.

It is unnecessary to enter into the detail of the remainder of the journey. Clinton, with his party, proceeded to the Niagara River, which they crossed to Newark in Canada, visited the falls, and returned by the ridge road, then newly cut through the woods. On returning to Geneva, a deviation from the direct route was made to Ithaca, at the head of Lake Cayuga, whence the state road was joined at Auburn. Finally, on the 19th August, Schenectady was reached, and, after a delay of a day in Albany, Clinton returned by the steamboat to New-York.

The feasibility of a canal to Lake Erie, in a direct course, was necessarily a subject of discussion at the several meetings of the board to which we have alluded. The relative advantages of the direct route, and that by the way of Lake Ontario, were also canvassed. Clinton appears to have avoided any positive expression of his views until the meeting at Chippeway, when he had, by personal information and examination of the surveys of Judge Geddes, satisfied himself that a canal of the ordinary character was practicable from the Hudson to Lake Erie. The practicability of the other route had long been obvious. It therefore became a question merely of policy, which ought to be adopted. On this head his

decision had been made up at an early stage of the investigation. He saw, upon the proposed line from Rome to Buffalo, a country capable, by its fertility, of supporting the proposed canal; he weighed the difficulties and expense attending transshipment from vessels calculated to navigate the lakes to canal-boats; and, more than all, he dreaded that the trade of the West might be diverted to the St. Lawrence, and its growing population compelled to form connexions in business with the British colonies.

Morris, of more sanguine temperament, had come at a much earlier period to similar conclusions, and had made up his mind that all material obstacles must give way to the Erie route. He adopted in its full extent, and without waiting for the result of the surveys, the brilliant but crude conception of Hawley. This plan he urged with all his eloquence on his colleagues at their meeting in Utica. The occurrence is thus stated in the journal of his tour kept by Clinton.

"At this meeting, the senior commissioner talked wildly. He was for breaking down the mound of Lake Erie, and letting out the waters to follow the level of the country, so as to form a sloop navigation with the Hudson, and without any aid from any other water."

However correct, then, were Morris's views of the policy of the direct route to Lake Erie, it is

evident that he had formed no practical idea of the mode in which it might be accomplished, nor did he at any subsequent period reduce his soaring imagination to the level of common sense.

To the policy of the direct route to Lake Erie all the commissioners save one assented, and at the final meeting at Chippeway Clinton was compelled to combat on the one hand the magnificent but impracticable project of Morris, and on the other the plausible and popular plan of adhering as closely as possible to the natural course of the waters. The expense of constructing a canal from Albany to Oswego, and another around the Falls of Niagara, would have been much less than that of a direct canal to Lake Erie, and would therefore have been more certainly within reach of the resources of the state; and had the sole object of the navigation been that of forming a communication with the shores of the upper lakes, the argument would have been unanswerable.

Had this opinion prevailed, the consequences would have been disastrous to the State of New-York; the current of population which has been borne on the waters of the canal to every point within its reach, and which has made the region west of Rome the richest agricultural district in the Union, would have flowed onward to Lake Erie, and even more distant regions, to which the

Ontario route would have given a more ready access.

On the other hand, had the scheme of Morris been the only one submitted to the public, its utter want of practicability would have defeated the chance of any farther action. At this point, then, do the paramount services of Clinton in the canal policy of the state commence. Up to this moment he had been an efficient and ardent friend of a system of internal improvement, but had waited for personal inspection to satisfy himself of its practicability and importance. He from this moment took the lead in all the measures which were necessary for its accomplishment.

Clinton's views were sanctioned by the majority of his colleagues, but he saw the importance of securing a unanimous report. It was believed by some of the commissioners that Morris had been convinced by the arguments of Clinton; at all events, the subject had been fully discussed in his presence. By courtesy, Morris, as senior commissioner, was entitled to the right of drawing the report of the board, unless a difference of opinion had arisen of sufficient moment to have justified his colleagues in intrusting that duty to another. Had this been done, three adverse reports would in all probability have been presented, and the popular arguments in favour of the Ontario and Niagara route would have been brought forward.

By leaving Morris in possession of his prescriptive right, this danger would be avoided; and it was believed that any objection which might be raised to Morris's individual views would be obviated by the exhibition of the surveys and practical conclusions of Judge Geddes.

The report of the board was, in consequence, drawn by Morris, and well sustained his veteran reputation for ability as a writer, and for enlarged views as a statesman. It established the practicability of an inland canal, and illustrated its advantages in a masterly manner. But it also included the idea of creating an artificial river from the elevation of Lake Erie to the Hudson, and a digression into a long exposition of the facilities and advantages of an *inclined* plane canal, in which rivers and lakes were to be passed by aqueducts, and valleys by mounds. This plan, which, in the hands of Hawley, who argued from imperfect knowledge of the country, and from a general view of its qualifications, was a brilliant conception, became ridiculous when contrasted with the actual levels. From these it appeared that, besides minor obstacles, the wide and deep chasm of the Cayuga Lake fell so far below the level of a uniform slope, that it would require to be passed by a mound and aqueduct, which, if not impossible in the nature of things, was rendered so by the enormous expenditure it must have occasioned.

On the meeting of the commissioners to consider the report, these objections were apparent. Motives of delicacy, and the personal respect they all bore to Morris, prevented any proposition being made for striking out this portion of it. Some of the commissioners were, in fact, inclined to leave it to be signed by Morris as senior commissioner, and thus avoid affixing their names to it. Clinton, however, urged the importance of the appearance of unanimity, and pointed out the fact that, while Morris had not refrained from expressing his own opinions, he had, at the same time, avoided committing his colleagues as sanctioning them, and had fairly declared that there was room for difference of opinion. He had also referred to the surveys, whence the true state of the case might be at once inferred by all who should with intelligence examine the subject.

"In respect to the inland navigation," says the report, "from the lakes to the Hudson River, the commissioners beg leave to refer for information to the annexed reports and maps of Mr. James Geddes, employed at their request by the surveyor-general. From these it is evident that such navigation is practicable. Whether the *route here sketched out* will hereafter be pursued, whether a better way may not be found, and other questions subordinate to these, can only be resolved at a future time, when an intelligent man, regularly bred

to this business, shall, under the direction of those on whom the public may think proper to devote this superintendence, have made a more exact and careful scrutiny than the time and means of the commissioners would permit."

As a farther concession to the opinions of his colleagues, the report says, "Preliminary points are to be adjusted, and of these the first is, Whether it is to be made for sloops or barges. The expense of the former will, it is believed, be at least double that of the latter. Another question, Whether it shall be carried *along an inclined plane*, or by a line ascending and descending, must be directed by a comparison of the expense and of the utility each way."

If Morris, therefore, had taken advantage of his position as canal commissioner to place his individual opinions in a prominent light, he had made no unfair use of his seniority in suppressing those of his colleagues. They, on the other hand, were justified in trusting that the public would not accept or reject a scheme of so much importance without a close and deliberate examination; and Clinton was a believer in the final triumph of good sense in all questions fairly submitted to the people.

Clinton was justified in the course he took on this occasion by the result. The report excited a prodigious sensation. There were some who were qualified to judge, and who, aware of the practica-

bility of a canal to Lake Erie upon ordinary principles, regretted that the project of the inclined plane had ever been broached. These received the report with a feeling of disappointment. It did not alter their well-founded belief, but it caused them to fear that a scheme practicable in itself might be defeated by the ridicule which they saw must be cast upon the stupendous project of Morris. Those who were also qualified to judge of the plan, but were as yet unacquainted with the circumstances, were not seduced by the eloquence of Morris from an examination of the documents appended to the report ; and, on mature deliberation, became satisfied that a plan of less imposing magnificence was feasible.

At that time, however, the state numbered but few who possessed the knowledge which would have enabled them to examine such a question with intelligence. The multitude was therefore divided into two great parties ; the one was carried away by the eloquence of Morris, and saw in the splendour of the enterprise he proposed, not only a source of wealth to the state, but of honour in the execution of a work more grand in conception than Babylonian majesty had dreamed of, or Roman energy had accomplished ; the other revolted at the scheme, as one far in advance of the time, and likely to be ruinous by loading the state with an inextinguishable debt. The report

thus afforded ample room for discussion ; and when, by an exhibition of a plan founded on sound principles, all the objections which had been raised against that of Morris had been obviated, it was too late to have recourse to new arguments against it ; and many of those who on the first view had opposed the canal, became converts to its practicability and utility when they saw that the arguments which had been used against it had ceased to be applicable.

This first report, then, had the merit, from its very extravagance, of exciting the public attention in a degree far greater than could a paper containing no more than an accurate exposition of the facts ascertained by the commissioners, and the proposal of a plan founded on the experience of other countries. Morris therefore rendered an essential service to the cause of internal improvements, not merely by his honest but mistaken zeal in its behalf, but by provoking discussions which a man of less genius but of more practical talent would have avoided.

The report was presented to the Legislature in due course ; and on its reception, Clinton, who now prepared to take the lead in all measures calculated to further this great scheme of internal improvement, brought a bill into the Senate for the purpose of continuing the investigations, and preparing for the execution of the project. By this

bill, which became a law, the same commissioners were continued, and the members of the board increased by the addition of Robert Fulton and Robert L. Livingston. Fifteen thousand dollars were appropriated for farther surveys; and the commissioners were authorized to apply to the general government, or to those of any of the individual states, for assistance in the accomplishment of the canal.

In compliance with this law, full and complete surveys were made under the direction of the commissioners, and a report was made in 1812 to the Legislature; in this the inclined plane was formally abandoned, and a plan presented identical in its great features with that which was actually executed. The intervention of the war at this epoch put an end to all active proceedings, and the action of the Legislature on this report will fall with more propriety into a subsequent portion of this memoir.

## CHAPTER XIV

*Origin and Growth of the Democratic Party.—Its Triumph in the Election of Jefferson.—George Clinton chosen Vice-president in the place of Burr.—His Pretensions to be the Successor of Jefferson.—He is Passed over.—Jealousy of Virginia.—All Aid to the New-York Canals is refused.—Dewitt Clinton is named as a Candidate for the Presidency.—Examination of his Course in relation to the War.*

THE party which assumed to itself the exclusive title of democratic was made up of many heterogeneous materials. It had been organized, in the first instance, as an opposition to the administration of Washington, on the questions of the proclamation of neutrality and the ratification of Jay's treaty. This opposition was gladly joined by the remnant of the anti-federalists, and by many of the more warm federalists, who had been disappointed in obtaining office under the new government. The cabinet of Washington had been itself divided on these questions, and thus the secretary of state became the most prominent man of the new party. Even among the anti-federalists the shades of opinion were various in the extreme,

from those who would have been content with a federation possessing even less than the limited powers to which the old Congress had restricted itself, to those who desired a strong and firm central government, but preferred that its popular branches should possess a greater degree of authority, and the power of the executive be more limited than had been done by the Constitution. The two most opposite opinions were thus united in opposition on a single point, that which held the exclusive authority of the state sovereignties, and that which was for deriving all power without intervention from the people. The party therefore strengthened itself to the South among the rich and powerful planters, who possessed a local influence which the action of the general government diminished ; while it numbered to the North the hardy yeomanry, who retained the revolutionary feeling which had led to the breaking up of entails and the abrogation of manorial privileges. Propagating in the latter case the doctrine of the largest liberty, the party was joined by all the foreigners who had fled from the oppression of their native governments. The natives of England and Scotland, on the other hand, who sought to become citizens of the United States for the purposes of commerce, were ranged in the federal party.

The question of a national bank produced a new point of difference between those who admit-

ted that the Constitution gave every power incident or collateral to those actually granted in terms, and those who adhered to the mere letter of the instrument.

So long as Washington retained the office of president, his transcendent greatness of character, and the strong hold he held on the affections of his countrymen, prevented the rising party from taking the form of a steady and uniform opposition. He had himself the faculty of training to his service talent of every variety, and making the most discordant opinions work together for the promotion of the general welfare. Jefferson and Hamilton, the embodied personifications of the two most opposite opinions, were both retained in his cabinet, and were both efficient in bringing to a successful result the difficult experiment of a form of government without example, as it has hitherto been without parallel.

The determination of Washington to retire from a station that he might have held so long as it pleased him, was the signal for the organization of the two opposing parties. Adams, the Vice President, became the candidate of the one, and Jefferson of the other. A new element of division was thus introduced, for sectional feelings were enlisted in the disputes, and attempts were mutually made to array the North against the South. Adams was elected in preference to his

competitor; and, had he possessed either popular arts or clear-sighted views, might have secured the constant triumph of the party which had supported him. In the former, however, he was deficient, and his want of popularity was aggravated by two injudicious acts, by which the liberty of the press was menaced, and the right of personal liberty invaded. The alien and sedition laws, of which he was, in popular opinion, the instigator, furnished his opponents with a well-founded means of attack. He still had one chance of retaining his power. The aggressions of Great Britain on our commerce had been almost put an end to by the operations of Jay's treaty, while those of France were not only continued, but were aggravated by a feeling growing out of that very treaty. Hence a good and just cause of war against that nation arose, and hostilities were actually commenced by a law authorizing the capture and detention of French cruisers and privateers. To carry on these hostilities a navy was created, and, for less obvious reasons, an army was imbodyed.

A universal burst of popular feeling hailed the war with France, and the leaders of the opposition were thus left without the means of attacking the administration with success. The strong feeling of national pride was about to be awakened, and this, as in 1813, would probably have swept away every landmark of party.

It appears probable that the great preparations of the administration of Adams had other views than mere defensive operations. The strengthening of the navy was well calculated to place the United States in an imposing attitude in respect to Great Britain, as well as to clear the seas of the picaroons bearing the French flag. But the well-organized and admirably-equipped army, of which Hamilton was in the actual, although Washington held the nominal command, was not called for by any fear of invasion from France, and the course of events appeared to be throwing the United States into an alliance with Great Britain.

It may therefore appear far from improbable that a great scheme of conquest and national aggrandizement had been planned in the secret councils of the federal party. Cuba was the receptacle of the buccaneers who preyed upon the neutral commerce of America, and, from the alliance of Spain with France, must have become the centre of any hostile action on the part of the former. It was, of course, obvious that, when the hostilities against France should become a formal war, Spain would in fact, if not by absolute declaration, become a party to it. It is therefore not an unlikely surmise that the army of 1798 was intended to act against the Spanish colonies of Louisiana and Florida, nay, perhaps with the aid and concurrence of Great Britain, against Cuba, or Mexico itself.

The obvious tendency of the acts of the administration of Adams, whether so intended or not, to bring the United States into the coalition against revolutionary France, furnished the opposition with a bond of union. By this it was kept together, in spite of the heterogeneous character of the materials of which we have seen it to be originally made; and the habit of acting in concert under a steady discipline, either fused all the various opinions into one common mass, or silenced the expression of such as were not avowed by the papers which became the organs of the party. In the faith thus publicly expressed the younger portion of the community was educated; and what may have at first been no more than an assumption of principles calculated for political effect, became the sincere belief of at least half of the youth of the United States.

Whatever may have been the intentions of the party with which he acted, Adams did not carry out even the first steps of the plan. Instead of exciting the hostile feeling against France to the height of a war in all its forms, he sought and effected a reconciliation with that country. By this the numerous active spirits who had sought occupation in arms, or had enrolled themselves as volunteers, were disgusted, and many of them were speedily classed in the ranks of his opponents. His own party was distracted, and yielded him

only a feeble support, or sought to abandon him for some more acceptable candidate. In the mean time, his administration did not adapt its measures to the new state of things; the army was not disbanded; measures for the increase of the navy were persisted in; and the taxes imposed in view of a war were not taken off. His adroit adversaries seized these points of his policy as open to attack, and in the outcry raised against a naval force, a standing army, and taxes in time of peace, found the most efficient weapons for overthrowing his power.

In this they were so successful that they ventured on running two candidates for the presidency, in order to secure both that office and the place of vice-president to members of their party. This was rendered necessary by an existing provision of the Constitution, which has since been repealed, by which the office of vice-president fell to the candidate for the presidency who should receive the second number of votes.

The result of this bold measure in the election of Jefferson as President, and Burr as Vice-President, and the suspicion of an attempted collusion with their federal opponents, to which the latter was exposed, are familiar facts.

In this struggle and final triumph the elder Clinton bore an important part, and Dewitt Clinton figured towards its close as an efficient agent

They had, as we have seen, been among the moderate opponents to the federal constitution, on the ground of state rights; and although George Clinton had finally acquiesced in the vote of the state convention, he had been immediately assailed by an opposition to his re-election as governor. Thus driven into opposition, he had become the decided supporter of Jefferson, and had aided most powerfully in securing him the vote of New-York. In the intrigues by which Burr was so near taking the first instead of the second rank, the friends of the Clintons were the undeviating supporters of Jefferson.

We have seen the prominent part which Dewitt Clinton took in the Senate of the United States in support of the administration of Jefferson. His seat in that body was held for a short time, and with this short exception, he, with his uncle, whose re-election as governor accompanied the triumph of the democratic party, were fully occupied by their executive duties and the party struggles of their own state. On the re-election of Jefferson, George Clinton became vice-president, and a wider field of politics was opened. From former usage, he felt himself entitled to be considered as the person to be selected as the candidate of his party for the office of president. On the other hand, Virginia was unwilling to part with the prescriptive claim to that office, and the

secretary of state seemed to be preferred by the incumbent of the office; mutual jealousies arose, and the general administration manifested neutrality in the schisms of the party in New-York, if not actual preference for those who had been denounced by it.

With a just sense of duty to the country at large, and his native state in particular, George Clinton urged measures of preparation for defence, and particularly the fortification of the harbour of New-York. He also appears never to have been in favour of the entire disbandment of the army, or the neglect of the navy. The embargo received his warm support, not as a measure intended as a substitute for a war with England, but as one of direct preparation; and we have on it on record that he urged upon the president, after the adoption of that measure, the equipment and manning of all the vessels remaining in the navy. For this measure he urged the motives of assuming an imposing attitude in aid of negotiation, of being prepared in the event of a war, and of alleviating the distress of the class of citizens on whom the pressure of the embargo fell most severely.

In these views Dewitt Clinton concurred most cordially with his uncle; and we have seen that when the defence of the harbour of New-York was neglected by the government, he was the

principal instrument in obtaining appropriations from the state for the purpose.

When the distress produced by the embargo became so serious as to threaten a loss of the majorities which the democratic party had hitherto commanded, Dewitt Clinton presided at a meeting in the Park, which pledged itself to the support of the administration on that measure, which nothing but the belief of its being a preparation for war could have rendered tolerable.

To the feeble and inefficient measures of non-importation and non-intercourse which succeeded the embargo, Clinton was decidedly opposed. He viewed them as imposing all the privations of a war without any of its advantages, and urged the adoption of a more energetic course.

When Jefferson, in pursuance of the example of self-denial set by Washington, retired from the presidential chair, the claims of George Clinton to the succession were passed over. His advanced age was a sufficient reason for this; but there were not a few of the democratic party who would even then have desired that Dewitt Clinton should have been the candidate. At the caucus of members of Congress by whom Madison was nominated as the successor of Jefferson, ninety-four were present. Of these only one was from New-York, and the attendance from Virginia was not full. The members from New-York who did not attend

were understood to prefer George Clinton, and the absentees from Virginia to be in favour of Monroe. In the decision of this caucus Clinton and his friends acquiesced in silence; but the jealousy of the growing power of New-York, and particularly of the rising talents and influence of Dewitt Clinton, were powerfully excited in the breasts of those who desired to perpetuate the ascendancy of Virginia.

This state of mind in the immediate personal adherents of the president became apparent to Dewitt Clinton when he, in pursuance of the act of the Legislature of 1811, visited Washington for the purpose of soliciting aid for the prosecution of the New-York canals. The doctrine that it was not within the delegated powers of the general government to grant such aid had not then been invented; the neglect of all measures preparatory to a war, or necessary for defence, had left the government in possession of ample funds, and thus, to all appearance, there was nothing but sectional jealousy which could prevent such aid being furnished.

During the succeeding session of Congress, active measures were taken for creating an army and making provision for defence, or even for acting hostilely against Great Britain. In these preparatory measures Clinton concurred, and they were supported in Congress by the votes of his imme-

diate friends and the exertion of all his influence. When, however, in June, 1812, the final question of war or peace at that precise moment was entertained, he appears to have been of the opinion that, however just and necessary a war with Great Britain were, the juncture was unfavourable, and the country was not in a sufficient state of preparation. In these views he was countenanced by a great number of the most uniform and consistent members of the party; a number so great, that, when added to the opposition members, it was believed, by the most adroit politicians, that a declaration of war could hardly be carried in the House of Representatives, and must certainly fail in the Senate. The course of political management by which an apparent minority was suddenly and unexpectedly converted into a majority, is still unexplained. With this majority the immediate friends of Clinton voted; thus showing, whatever hesitation he may have felt in respect to the policy of making war at the moment, a hesitation which many believe was shared by the president himself, that, when it was decided upon as the measure of the party, he was willing to give it his support.

The nomination by a *caucus* of members of Congress had become odious to many. Hence, when Madison's first term was about to expire, no more than twelve persons from states east of New-

Jersey attended the meeting. From this *caucus* Madison received a nomination for a second term. Those republicans who objected to the usage of a *caucus*, and refused to obey its commands, fixed their eyes upon Clinton as an opponent to the nominee of this meeting. Clinton was, in consequence, put in nomination ; and, when the electoral votes were counted, was found to have received 89, while Madison was elected by 128 votes.

In permitting himself to be used as a candidate, Clinton exposed himself to great obloquy. Two different parties were interested in misrepresenting his views and opinions. The supporters of Madison, on the one hand, were anxious that Clinton should be represented as an opponent of the war, believing that they would thus lessen his popularity and diminish the vote for him as president. The federal party, on the other hand, were willing to consider him as opposed to the war, as by this they might consistently vote for him, and obtain an opportunity for distracting the ranks of their ancient opponents. He was even strongly urged to declare himself upon this point ; and, had he given the least encouragement to a report that he was the opponent of the war, he might have secured the almost undivided support of the federal party. This would probably have secured his election, for that party was still strong and well organized. Into the latter plan Clinton declined to enter ; and

thus, if he may have received the vote of a few federalists, he derived no aid from them as a party, except in the Eastern states, where he was chosen as the least of two evils. His decision on this point left a feeling of animosity in the minds of many distinguished opponents of the administration, which arrayed them ever after with whatever party sought the downfall of Clinton.

The nomination of Clinton was made by a convention of the republican party of the State of New-York. Many persons who were afterward his most bitter opponents concurred in the call, and gave their support to his nomination. The electoral ticket which voted for him was headed by the gentleman who was subsequently the successful candidate of the party which opposed Clinton's administration as governor.

This was the first attempt to put down the *caucus* system, which has been followed by the very method of conventions that was adopted by the friends of Clinton ; and although he for a time became the sacrifice of the new principle, it has, notwithstanding, been triumphant, and is now universally admitted to be pre-eminently republican.

The main cause assigned by the convention for putting Clinton in nomination for the presidency was, that hostilities might be conducted in a more efficient manner. The early operations of the war were attended with discomfiture and disgrace ; and

it was most earnestly desired, by many sincere well-wishers of their country, that a man of Clinton's decision, capacity, and judgment should take the place of what they considered a feeble and vacillating administration. The truth is, however unpopular may be the declaration of it, that a war, commenced without preparation, was carried on without a plan ; and the force which, if united, might have penetrated to the walls of Quebec, was engaged in partial and inconclusive conflicts over a thousand miles of frontier.

So far from attempting to embarrass the government in the prosecution of the war, Clinton was the first official personage who came out publicly to arouse his countrymen to that strenuous and unanimous support of the cause of their country by which alone the war could be brought to a happy issue. An opportunity was afforded him for this purpose in his charge to the grand jury of the City and County of New-York, before a month had elapsed from the date of the declaration of war. In this charge, after pointing out the new relations in which the country had been placed, he explains to the grand jury its duty in inquiring into such acts as by these new relations had become crimes.

It is therefore clear, that the charge of being opposed to a war with Great Britain, which has been so often urged against him, is devoid of

foundation. Even had he been one of its most strenuous opponents at the beginning, he would have stood in no worse light than others, who, however violent they had been in their resistance to a declaration of war, were, notwithstanding, relieved from all imputations of want of patriotism, in consequence of the support which they afforded to the government in carrying it on.

## CHAPTER XV.

*Progress of the Canal Policy interrupted by the War.—Clinton tenders his Military Services to Governor Tompkins.—His Report on the Defence of the City of New-York.—Measures of the Corporation, and of the State and General Governments, in consequence.—Clinton is removed from his Office of Mayor.—He renews the Consideration of the Canal Question.—Meeting on that Subject in New-York.—Clinton draws the Memorial of that Meeting.—Examination of the Contents, and Effects of that Memorial.*

THE declaration of war put an end to all immediate chance of proceeding with the construction of the New-York canals. The Legislature had indeed, on the 19th of June, 1812, almost at the instant that the war began, passed an act further to provide for the improvement of the internal navigation of this state. By this act the board of commissioners were authorized to purchase the interest of the Western Inland Lock Navigation Company, and to borrow five millions of dollars as a fund for making the canal. This act was obtained by the exertion on the part of Clinton

of the same powerful influence he had hitherto brought to bear in support of this great scheme. His whole soul had indeed become devoted to the object. It was, therefore, with no little regret that he saw any chance of its even being commenced postponed indefinitely by the hostilities with Great Britain; and the strenuous support which he afforded the government in all defensive measures, derives enhanced merit from this circumstance.

He had, in fact, when he visited Washington to solicit the aid of the general government to the canal, pledged his support and that of his friends to the government in case of a war with Great Britain; and this pledge he redeemed. On his return he sought to regain his relative rank in the militia, with a view of being in the way of active service. His own view of his claims was limited to the rank of brigadier; but the council of appointment, in consideration of his eminent standing in civil life, conferred on him the commission of major-general. As soon as it became necessary to call out the militia, he applied, through the intervention of Emmett, to Governor Tompkins for a command. He was compelled to make use of the channel of a mutual friend, as any familiar intercourse had ceased between him and the governor. Tompkins had been drawn from obscurity by the notice of Clinton, and owed to him his appointment as a

judge, and his nomination as a candidate for governor in opposition to General Lewis. He was now opposed to Clinton on the presidential question, and gave the whole weight of his official influence to Madison. Clinton, therefore, could not avoid considering him as ungrateful. On the other hand, Tompkins affected to consider Clinton as an opponent of the war. It therefore did not suit him to bring Clinton forward in any active military employment, and the application for a command was rejected.

Clinton, however, was determined to be useful to his country in the capacity which he was still permitted to retain, that of mayor of the City of New-York. Feeling most sensibly the exposed position of this important place, he drew up and presented to the corporation a report on the measures necessary for its defence, and strong representations were in consequence made to the government.

It appeared by this report that, so culpable had been the inattention of the administration, while that of England was sending out the army of Spain and Portugal to our coast, no more than 1600 men had been left for the defence of New-York. No other mode of attack had been anticipated than from shipping attempting to enter the Narrows. The state had made provision for fortifying the pass at Hellgate; but no preparation of any de-

scription had been made in case an army were to be landed on Long Island or in West Chester.

The report, after pointing out the exposed position of the city, proposed that fortified camps should be established at Brooklyn and Haerlem, and a sufficient body of militia called out to garrison them.

To attain these purposes, eight resolutions were appended to the report. By the first, a committee of the Common Council was directed to solicit the attention of the president to these objects; by the second, the governor of the state was requested, under the authority of the militia law, to call out a sufficient number of the militia to occupy the proposed camps, and a loan of \$300,000 tendered him for the purpose. The other resolutions had reference to munitions of war, and to the mode of raising the money tendered.

The corporation at the time contained a majority of the opponents of the government, and political antagonists of Clinton. On this occasion, however, all party feeling was forgotten, and absolute unanimity prevailed in its deliberations. The occasion was seized by the politic Tompkins as a mode of increasing his popularity. Up to this time he had been busily engaged in pressing offensive measures on the frontiers of Canada, without being aware that the enemy saw that the surest mode of defending their colony was by ag-

gressive acts on the coast of the United States. He now did more than was asked of him, and poured into the City of New-York militia contingents to double the number that the committee of the corporation had thought necessary. Of this force he assumed the command, obtaining from the general government its sanction. Clinton, in the mean time—the real projector of the measure, by which all risk of attack was avoided, and which preserved the city from the fate of Washington and Alexandria, or the panic experienced at Baltimore—was studiously kept in the background. The funds necessary for the pay and support of this imposing force far exceeded the amount furnished by the corporation. A severe trial of its patriotism was therefore to be made. The general government, which had sanctioned the call of such a force, had provided no means for the purpose of keeping it together. Its credit, from mismanagement of its vast resources, had fallen to so low an ebb, that its treasury notes were almost worthless in the market. To call the state legislature together would have been a tedious process, during which the troops would have been exposed to distress, or must have been disbanded. An opportunity was thus presented by which an adroit politician, without the semblance of improper motives, might have left the governor to his own resources, and thrown upon him the responsibility

of collecting, for his own purposes, a force he was unable to pay or feed. Such, however, was not the course of the mayor and corporation of New-York. With the utmost readiness, and without a dissenting voice, that body, in pursuance of a report presented by Clinton, interposed its unimpeached credit in behalf of the government; and, procuring from the banks a loan, placed \$1,400,000 at the disposal of the governor.

In these patriotic exertions Clinton derived the most steady and efficient support from members of the corporation. Among these are particularly to be remembered Aldermen Fish, Mapes, and Lawrence. The first an old soldier of the Revolution, and the brother in arms of Hamilton; the second, who, although a tradesman, exhibited in the discipline of a militia brigade, of which he was the commander, and which was called into the service, a high degree of military talent; the third a banker, who, by his judicious administration of the finances of the city, had raised its credit from a low ebb, until it was far superior to that of either the general or state governments.

In the negotiations which attended this loan, an incident occurred which may be here cited as exhibiting the character of the man who speedily became the opponent and persecutor of Clinton, who had raised him from obscurity. The corporation had stipulated that it should receive United

States' treasury notes as vouchers for the loan thus made to the general government. The comptroller, Mr. Mercein, waited on the governor, by appointment, with one of the instalments. The notes were exhibited to him, wanting only the signature of Tompkins, who stated that a wish to be present at the approaching confinement of his lady compelled him to set off that afternoon for Albany, and that he would take it as a favour if the execution of these notes were postponed until his return. The comptroller, without hesitation, complied with the request ; and there is no doubt that the governor did at the time intend to fulfil his promise. But, in the interval, other pressing demands arose, and the treasury notes were applied to other purposes. It now became a question of personal veracity between the governor and the comptroller ; the former denying that he had given the promise, the latter asserting it. The general government, in the end, made good the amount, and the comptroller was relieved from his responsibility, so that the pecuniary part of the dispute was adjusted. In the denial, however, Tompkins had forgotten, what the comptroller was not aware of, that a witness was present at the conference, who can, even at this late period, bear his testimony to the correctness of the statement of the latter. A young officer, charged with exhibiting to the governor the report on the fortifica-

tions at Haerlem and Brooklyn, was in the room when the comptroller was announced, and was requested by the governor to take a seat, and wait until the business with the comptroller was transacted. The transaction, according to his recollection, was in all respects conformable to the statement of Mr. Mercein. It would therefore appear that the governor, when he applied the treasury notes to other purposes, and found he could not replace them, preferred the sacrifice of a political opponent to a controversy with the administration, into which he must have entered had he maintained, as he ought, the claims of the City of New-York.

The same weakness was the cause of a subsequent dispute in accounts between Tompkins and the comptroller of the State of New-York, in which the difference amounted to a very large sum. No one now believes that he was actually a defaulter, or had applied money to his own purposes; but he yielded to the necessities of the general government, and appropriated to its service moneys intrusted by the State of New-York; and the state, with a true sense of its dignity, forgave him the debt, although he had not taken the proper steps for enabling it to be recovered from the administration at Washington.

On another occasion, the influence of Clinton with the body over whose deliberations he presi-

ded was materially of use to the general government. A steam ship-of-war was building under the direction of Fulton, and the government was unable to supply the funds for continuing the work. An application was in consequence made to the corporation of New-York for aid ; but the finance committee, looking into it only as a matter of business, had determined to report against a grant, because it would unnecessarily involve the city in debt. In this emergency Clinton interposed, and was successful in convincing the committee that the loan ought to be made.

We thus see that Clinton was in favour of a war with Great Britain ; that no sooner was war declared than he gave the government his undivided support ; that he was foremost in the measures of defence by which the City of New-York was rendered inaccessible to the marauding bands of Ross and Cockburn ; and that he was the first mover in the measures by which the necessary funds were raised for the purpose. If, in the action of the corporation on the first two points, he was aided by his ancient opponents in that body, he was not less assisted in the financial part of the operation by many who had not yet abandoned the name and the party distinctions of federalists. Rufus King addressed a large assemblage of citizens at the Tontine Coffee House in aid of the contemplated loan ; and a great number of citi-

zens of the federal party enrolled themselves as volunteers.

On this occasion the old party lines were completely obliterated ; no trace of affection for Great Britain remained in any mind, and the very name of federalist only exists to be used as a mode of discrediting a political adversary in the minds of the ignorant. The only wonder is, that, in a community where the means of education are so easily accessible to all, its good sense should not revolt at the employment of terms, the meaning of which has long been obliterated.

Governor Tompkins reaped the full fruit of his ingenious policy. Thirty thousand militia, including the flower of the youth of the state, and many of the most promising of the party opposed to the administration, were soon dispersed to carry throughout the state the tidings of the affability, the kindness, the devoted patriotism, and, as many faithfully believed, the great military talent of the governor ; while the citizens of New-York hailed him as their champion and saviour. He was thus clothed with sufficient power to use it to the injury of Clinton, who was removed from his office of mayor in 1815. It was attempted to justify his removal on the grounds of his being originally an opponent of the war, and of being wanting in patriotism to support it. How futile such charges were, the facts we have cited will show. Nor were they believed by the community, as will speedily appear.

To show how completely all party lines had been obliterated by the war, and that opposition to the measures which led to it was not felt, however strongly it might be proclaimed as a disqualification, the successor of Clinton in the office of mayor, in 1815, was his federal opponent, Jacob Radcliff, who, on the temporary ascendancy of his party in 1810, had already superseded Clinton in the same office.

In the mean time, the canal question slumbered. The commissioners, indeed, made a report in March, 1814, in which the plan of an inclined plane was in express terms abandoned; but, within the next month, the authority granted to them to contract for a loan was annulled by a clause in the supply bill, where it had been placed, as being there unlikely to attract attention or excite debate.

At the close of the war, Governor Tompkins had it in his power to renew, by an official suggestion, the attention of the public to the canal policy. No man could have exposed the necessity and importance of a system of internal communication in more exact accordance with his own particular views than he. These views were all warlike, and directed to preparation for renewed hostilities with Great Britain. He had seen cannon dragged by land from Washington to Sackett's Harbour, to arm the fleet which disputed the

command of Lake Ontario, and an enormous expense incurred in other ways for want of easy communications. This glorious opportunity of calling the attention of the public to canals, as the most efficient means of security against attack, or of collecting forces and material for offensive operations, was lost by him. He had it in his power to make himself the leader of that uncontrollable spirit which speedily manifested itself, but he neglected it.

In the mean time, Clinton, removed from all official station, and abandoned by all political associates except a few personal friends, saw that the moment had arrived for renewing his exertions on behalf of the cause of canals. His means of success were immeasurably diminished from the time in which he led, in the councils of the state, the solid and disciplined party to whose command Tompkins had now succeeded, and could count on the patriotic concurrence of such men as Platt, Van Rensselaer, and Morris, the leaders of his opponents in all other measures. The diminution of his own immediate political resources did not dismay him. He trusted to the good sense and the sound patriotism of his fellow-citizens, satisfied that, could he obtain an impartial hearing, the cause of internal improvement must triumph. He therefore, in the autumn of 1815, called to his aid Platt, thus repaying the confidence which that

gentleman had, on the former occasion, reposed in him, and with him that of William Bayard, who then stood at the head of the mercantile community in the city, of Thomas Eddy, his old associate in the canal commission, of John Swartwout, who forgot on this occasion their old strife even to blood, of Cadwallader D. Colden, and of several other influential and distinguished citizens. In conformity with a public call, a meeting was convened at the City Hotel, which, by the exertions of his coadjutors, was numerously attended. Before this meeting, a draught of a memorial, prepared by Clinton, was laid and unanimously adopted.

This memorial was then circulated throughout the state for signatures, and was everywhere received with enthusiasm and subscribed with avidity.

There have, in the course of American history, been a few instances in which a single able state paper, appealing to the patriotism and good sense of the people in opposition to the cry of party or the force of prejudice, has changed the whole course of public sentiment, or created a new impulse by which that sentiment was directed into channels before unexplored. Among such instances we may cite the proclamation of neutrality by Washington, and that in opposition to the doctrine of nullification by Jackson. The memorial in relation to the canals had a similar influ-

ence within a less extended sphere. It exhibited the practicability of the canal to Lake Erie in so clear a light, and demonstrated its advantages over the route by Lake Ontario so evidently, that the first was never again questioned even for political effect, and the last sunk into oblivion. It showed that the canal was not only practicable, but that the benefits it would confer on the state were such that it would be an advisable measure even were it to return no revenue. It entered at full length into an estimate of the cost of the canal, and demonstrated that the resources of the state were adequate to its construction even in default of any large income from tolls. Finally, with feelings of extended patriotism, it proceeded from the local benefits to be conferred on the State of New-York, to the influence of such a work upon the general prosperity of the nation, and its effect in drawing more closely the bonds of union among the states. The argument of this report was so convincing, its appeal to feelings of individual interest, of state pride, and national glory so irresistible, that for the moment all opposition to the scheme was silenced.

- Had Clinton performed no other act in relation to the canal system than to compile the information collected in this memorial, digest its argument, and recommend it to public attention by the weight of his name and of his political and

personal influence, he would have been entitled to stand first in the list of the promoters of this vast and useful enterprise. But when we consider that, in addition to the long and devoted attention which was necessary to prepare this report, the broad and statesman-like views which it exhibited, and the great authority of his name in procuring its consideration and extensive adoption, he from this time made the furtherance of the canal policy the prominent mark of his noble ambition, the services of all other persons, however eminent, sink into insignificance. No other person ventured on the support of this policy the adherence of his friends, his well-earned reputation as a statesman, his character for prudence and foresight, and, finally, all his prospects of future elevation in political life: all these, and they were a mighty stake, Clinton committed to the hazard of the success or failure of the canal policy. The fears of his timid friends he allayed; the remonstrances of those who saw a surer way for him to regain his political influence he disregarded, even at the cost of seeing them join the ranks of his enemies; he was too well satisfied of the accuracy of his calculations to dread the judgment of posterity upon his prediction; and he willingly placed all his future hopes of rank and distinction upon the accomplishment of this single measure.

## CHAPTER XVI.

*Memorial is presented to the Legislature.—Final Report of the Old Board of Commissioners.—Law to provide for the Improvement of the Internal Navigation of the State.—The New Board of Commissioners enter upon their duties.—Their Report.—Vast amount of field-work performed under their direction.—Scheme of Finance.—Law of Congress for promoting Internal Improvements.—Its Rejection by President Madison as unconstitutional.—Modifications rendered necessary in the Scheme of Finance.—The Bill to authorize the construction of the Canal becomes a Law.—Opposition of the City Delegation.—The Canal Policy made by them a party question.*

THE memorial of which we have spoken in the last chapter was signed by a great number of persons in the city of New-York; it was enforced by a recommendation from the corporation of that city, and seconded by the action of public meetings in Albany, and nearly all the towns and villages to the west and north of that place. It was presented to the Legislature about the same time with the final report of the old board of com-

missioners. This report refers to the number and respectability of the applications before the Legislature in favour of an immediate prosecution of the canal, as an evidence that its advantages were appreciated by the citizens of the state. The report, in addition, recommends the construction of the Champlain Canal, and urges the superiority of the Erie over the Ontario route. The original draught, as in former cases, had been made by Morris; but, in consequence of alterations made in it by the other commissioners, he declined to sign it.

The time had passed when eloquent declamation could be received as a substitute for sound practical views. The community had been excited to the examination of the project upon its real merits by the brilliant effusions of Morris, but had, on consideration, seen that they pointed out schemes which were impracticable. To this expressed will of the people the commissioners found themselves compelled to conform; and, in spite of the respect they entertained for the character of that distinguished man, they, with absolute unanimity, concurred in the amendments and alterations.

Clinton, after the presentation of the memorial, proceeded to Albany to enforce, by his personal and political influence, its favourable reception, and to urge its being acted upon. Although

many friends of the measure were desirous of obtaining authority to commence the work, no more was gained from the Legislature than the means of proceeding with the inquiry, in such manner that the surveys, which had hitherto been confined to mere exploration, should be directed to the actual location, and the rude calculations made from partial researches extended into close and accurate estimates of the probable cost. Clinton and the other memorialists prudently abstained from jeopardizing their cause, by insisting upon any committal on the part of the state, until such estimates could be submitted, or any appropriation beyond the cost of survey, until a scheme of finance had been prepared adequate to the magnitude of the operation.

In compliance with the prayer of the memorial, an act was passed on the 17th April, 1816, "to provide for the improvement of the internal navigation of the state." In this act Stephen Van Rensselaer, Dewitt Clinton, Samuel Young, Myron Holley, and Joseph Elliott, were named commissioners. Their prescribed duties were to consider and devise such measures as might be necessary to connect Hudson River with Lake Champlain and Lake Erie; they were required to report within twenty days after the commencement of the next annual session of the Legislature; and

\$20,000 were appropriated for the expenses of the inquiry.

No time was lost by the commissioners in entering upon their duties, and sufficient corps of engineers were forthwith organized. Three of the commissioners assumed active duties in the field, and, dividing the work into the same number of parts, pressed the performance of the surveys in person. These gentlemen, thus devoting their whole time to the work, were entitled to, and received a compensation for their services. Clinton and Van Rensselaer, who performed at least equal services in another manner, would accept of no remuneration.

Clinton devoted much attention, during the recess of the Legislature, to the consideration of a scheme of finance. The first point to be ascertained was the possibility of borrowing a sufficient amount, provided satisfactory security could be exhibited. For this purpose he placed himself in communication with the most intelligent merchants of the City of New-York; and, as the intercourse with Europe was reopened, he had an opportunity, which he sedulously improved, of consulting the travellers who had repaired to England on the cessation of hostilities, and were from time to time returning. All accounts seemed to encourage the hope that no difficulty would be experienced in raising sufficient funds. A more important obsta-

cle was therefore to be overcome, that of devising a system of finance. The Legislature had indeed, on a former occasion, clothed the old board of commissioners with power to borrow five millions of dollars on the simple pledge of the faith of the state. Clinton, whatever may have been his opinion on a former occasion, was now satisfied of the cardinal principle, that no debt ought in any event to be contracted by a government, unless a fund were at the same time provided for paying its interest and for its final redemption. The income of the canal itself might, indeed, be calculated upon for a part, if not the whole, of the latter object; but he felt convinced, that even if the absolute maintenance of the public faith did not require an income to be provided from other sources, yet the rate of interest at which a loan could be procured would be much lessened by exhibiting to the lender a pledge of resources which would render his remuneration sure, even were the project on which the capital should be expended to fail.

The commonplace-book of Clinton abounds with extracts made by him at this period from the best authors on the principles of finance and the management of a public debt, and manifests how attentively he studied this subject, and what labour he devoted to master the details.

The great success of the New-York canals has

stimulated almost every other state of the Union to similar enterprises. Many of these have been judiciously planned and successfully prosecuted. They have furnished in such cases revenues which have at least paid the interest on their cost. There are, again, other instances, in which the plan has been so far judicious, that new wealth has been created more than equal to the expenditure on the improvement, but where the income has barely defrayed the cost of maintaining the work. The ease with which New-York has paid its interest, and the rapidity with which the sinking-fund has accumulated to the full amount of the original debt, has raised the credit of the nation in foreign marts, and has afforded to other states facilities for loans which even New-York did not at first enjoy. The mere pledge of the public faith has, in consequence, been of late found sufficient to obtain a loan. It has thus happened, that, in almost all recent instances, the wise precaution taken by the State of New-York has been neglected. Public works have been commenced to an extent wholly unauthorized by the business and population of the states to which they belong ; no other funds than the prospective income of the finished work have been thought of ; and, in almost all cases, the borrower, instead of endeavouring to ensure the redemption of the debt by a fund accumulating at compound interest, has trusted to new loans to meet the interest itself, and

thus allowed the debt to accumulate in the same rapid manner. Such is the consequence of this method of accumulation, that if, on the one hand, the smallest excess of fund over and above the interest must in the end extinguish the debt, on the other the debt will increase so fast, that the most brilliant final success will hardly be sufficient to reduce it when thus compounded.

The system of borrowing without an intermediate provision for the interest is besides objectionable, inasmuch as the rate of interest will be continually rising upon the borrower, until it may happen that the funds for the completion of the works of improvement cannot be obtained, and thus the anticipated revenue may never be realized.

It is by a neglect of this cardinal principle that the new states of the Union are at this moment suffering under the evils of a total prostration of credit, and public works, undertaken and carried on at a vast expense, are lying unfinished, and, consequently, unproductive.

The question whether a public debt is to have its interest and final redemption provided for at the moment it is contracted, or whether it is to be sanctioned by a simple pledge of the public faith, has been among the distinctive characters of the two great schools of politicians which have divided our country from the time it became independ-

ent. At the head of one school stands Hamilton, and at that of the other Jefferson. In the practical action of the general government, no injury has arisen from the predominance of the opinions of the latter. The great debt contracted during the war of 1812 has been redeemed by the proceeds of the national domain, and the people, as a body, have not felt it as a burden. But the states stand in a very different position; they have, as a general rule, no landed estate to resort to for the payment of their loans; and any great debt contracted by them, beyond the limit which can be sustained by an existing revenue, must be followed by breach of faith, or even by absolute bankruptcy. It is highly to the credit of Clinton, that, educated in the school of Jefferson, and holding all its tenets, he was enabled to free himself from its shackles in this point of policy.

The canal commissioners reported in due season to the Legislature. It appeared that 440 miles of canal had been traced upon the ground, and the cost of construction estimated. This was found to be nearly six millions of dollars; and it is one of the peculiar features of the history of the canal, that, in spite of the amount of work in survey and calculation being greater than had ever before been performed in so short a space of time and at so small a cost, the actual construction has differed less from the estimate than in almost any similar

instance. The commissioners, in order to ensure this, had laid it down as a principle, that every probable expense should be included in the estimate, and every possible contingency provided for. Such, however, was the distrust, arising from experience of the inaccuracy of estimates, that many of the best friends of the measure feared that the anticipations of the commissioners were too sanguine, while those opposed to it maintained that the estimates were made up with a view to deceive, in order to embark the state in a project which, if once begun, must be completed, whatever might be the cost.

When the report had been presented and referred, the committee to whose charge it was intrusted asked from the commissioners the draught of a law providing for the construction of the canal and creating a system of finance. This draught was made by Clinton. The scheme of finance created a canal fund, vested in a board, and pledged the faith of the state that it should not be diverted. No pledge was originally given in the draught of the credit of the state, to provide for either principal or interest, beyond the fund pointed out and made sacred. The question of finance appeared to have been much simplified, at the moment the report was presented, by an act which had just passed both Houses of Congress. By this act, the income of the stock held by the gov-

ernment in the Bank of the United States was directed to be distributed among the several states for the purpose of internal improvements. Under it the State of New-York would have received \$90,000 per annum, which would have been equivalent to the interest on a loan sufficient to meet the estimated cost of one fourth of the canal. Upon this liberal measure, which would have diffused wealth and happiness throughout the Union, Mr. Madison set his veto in the very last moment of his administration. The cause assigned for this measure was, that the law was unconstitutional ; yet he at the same moment approved a law making a large appropriation for the Cumberland road, and another making a grant to a road in Tennessee. The nice casuistry by which it has been decided that certain public improvements fall within the granted powers of the general government, while others do not, is beyond the comprehension of those who are not accustomed to thread the mazes of metaphysical investigation ; while the dictates of plain common sense would seem to establish the conclusion, that the framers of the Constitution could never have intended to exclude the power of granting the surplus funds of the general government, in a fair ratio of distribution, among the individual states. The truth is, that the probability that the Union could ever have a surplus of income over expenditures seems never to have oc-

curred to the framers of the Constitution, nor was there any precedent in modern times whence such an anticipation could have been drawn.

Those have not been wanting who have ascribed this act of Mr. Madison to a desire to prevent the construction of the New-York canal. If the admitted patriotism of that distinguished citizen be urged as evidence that such could not have been the case, still the assertion that such were his motives has been maintained by most plausible arguments. Clinton was at the moment, by his strenuous exertions in the cause of internal improvements, acquiring a popularity, which one whom he had presumed to rival in the affections, not only of the country at large, but of the democratic party itself, might well have desired to lower. The State of New-York was to derive the most direct apparent benefit from the grant; and a Virginian might well have desired to check that prosperity which was soon to place New-York in the highest rank for population and wealth, and which has, in the end, substituted the "Empire State" for the "Old Dominion" in its standing in the Union. Personal rivalry, political hostility, and local prejudice, may then have reasonably been expected to exist in the mind of Madison, if it had been capable of entertaining such feelings.

The loss of so large an anticipated source of income rendered it necessary to amend the project

of finance submitted by Clinton, after it had been reported to the House of Assembly. Mr. Tibbitts, then a member of the Senate, claims that the whole of the important changes which were made in the bill, grew out of his suggestions.

Clinton, in a history of the proceedings, published under the signature of Tacitus, ascribes great improvements in his original draught to the "useful suggestions of Messrs. Van Rensselaer (J. Rut-sen), Tibbitts, and Few." One of the features introduced into the bill was unquestionably contrary to the wishes of Clinton. A large duty was levied by the authority of the state upon sales at auction in the City of New-York. This had at first been applied to local purposes within that city; one half had then been withdrawn for the general purposes of the state, and the bill, as passed, deprived the city of the other half, and threw the whole into the canal fund. To this Clinton was opposed. He would have preferred to see the execution of his darling project delayed rather than give his sanction to an act of injustice. The auction duty has been represented, and thus its diversion into the general funds of the state justified, as a tax upon the consumer, when all who have watched its operation know that it falls almost wholly on the importers of the City of New-York, who voluntarily submit to it as the price of a more speedy and safe return for their capital.

On the other hand, a feature which contributed mainly to the passage of the bill, and which was just in itself, was introduced by William A. Duer. He was a representative from one of the counties which could not, in any event, be benefited, and might possibly be injured by the construction of the canal; and his constituents were, in consequence, opposed to it, particularly if it would have subjected them to any risk of taxation for its support. In order to conciliate this opposition, he added a clause to the bill, by which the lands for twenty-five miles on each side of the canal were made liable to taxation. This went far to satisfy those parts of the state which derived no immediate advantage from the construction of the canal, and was not objected to by its friends. Circumstances have rendered it unnecessary, but the strict justice of the measure, and its expediency at the moment, no one can doubt.

In the Senate, Mr. Van Buren, the present President of the United States, who had in the preceding session opposed any measures beyond those of inquiry, and had, in consequence, been considered as hostile to the canal, came out as its supporter; and, not content with supporting the bill as it came from the Assembly, proposed the addition of a clause pledging the general credit of the state in addition to the funds set apart as sacred for the redemption of the canal debt. This addition, if ad-

mitted to have aided in obtaining the necessary funds, has not been salutary either to the State of New-York, or as an example to other states. The revenue of the canal fund, and the income of the canal, if kept separate upon the books of account from the general finances of the state, have, in point of fact, been mixed with them into one common mass. The state, apparently possessed of ample funds, has abandoned taxation as a source of revenue for its annual expenses, and is thus largely in debt to the canal fund; while the enlargement of the canal itself, and the extension of the benefits of internal improvement to other regions of the state, has been retarded, if not prevented altogether.

That the canal shall, by its operation, have done away the necessity of continuing to resort to an annual tax, is, however, one of its most popular features.

After a long and severe contest, the bill at last passed both houses of the Legislature. This result may be ascribed almost wholly to the exertions of Clinton, who, going before a legislature, a majority of which was either actually opposed or wholly indifferent on the subject, brought public opinion to bear upon its members with such force, that opponents were converted or silenced, and the indifferent convinced.

Even after the battle had been fought in the

Legislature, a difficulty remained to be overcome in obtaining its passage through the council of revision. This was achieved by the vote of Chancellor Kent, who had doubts for a time as to the feasibility of the project; but, according to his own statement, was brought to give a casting vote in its favour by the very arguments which Governor Tompkins urged against it.

Among the steady and determined opponents of the canal bill, in every stage, were the delegation in Assembly of the City of New-York, and the senators of the Southern District. The former had been elected in the place of a delegation which was friendly to the canal, and in declared opposition to the name and the policy of Clinton. Hostility to him prevailed over all considerations of public benefit; and this being made the ground of their vote on the canal question, converted the decision of the Legislature into a personal triumph.

It thus happened, as in more than one other instance, that the measures adopted by the political opponents of Clinton only brought out in more distinct relief the importance of his agency in preparing the way for that decided expression of public opinion by which the construction of the canal was in a manner forced upon cold friends or decided enemies. By making the canal policy of the state a party question, they compelled Clinton

to do the same, and the attainment of the end for which he strove became to him a political victory. It is thus, by the necessity under which he was placed of bringing the whole weight of his influence to bear upon the canal question, and the firm and unflinching manner in which he ventured his whole political fortune on its result, that his name has become inseparable from the history of the canal policy of the state. All other persons, however useful they may have been in promoting the desired result, made the canal no more than a secondary consideration in their respective projects of ambition. Its success or failure would neither have elevated nor depressed them in the public view, while with Clinton it was the primary object of his aspirations; and its success so far exalted him in the eye of the people, that his political opponents were finally compelled to enter with apparent ardour into the support of the canal policy for the purpose of defeating him.

## CHAPTER XVII.

*Clinton is elected Governor of the State of New-York.—Apparent Calm in Party Feelings.—Causes of renewed Party Violence.—Tompkins is held up as a Candidate in opposition to him. Clinton's Re-election.—Farther increase of Party Violence.—Interference of the General Government.—Personal Hostility added to Feelings of Party.—Important Measures recommended by Clinton and carried in the Legislature.—Character of his Speeches to the Legislature.*

CLINTON, who was brought, by his attendance on the Legislature, in contact with a new race of political men, with a Legislature composed of persons to many of whom he had hitherto been a stranger, received an accession to his popularity which was speedily manifested in an unexpected manner. Madison's second term as president was about to expire, and Monroe had been elected his successor. Tompkins, who had been re-elected governor of the state in 1816, was chosen vice-president. Many persons appeared to have been under the impression that the vacancy left by his acceptance of the office must necessarily be supplied during the remaining part of the term for

which he had been elected, by the lieutenant-governor. There was then no space left for political agitation, or the attempt to bias the opinion of the people by self-constituted leaders. When it was ascertained that the Constitution required the election of a new governor for the remainder of the term for which Tompkins had been chosen, a universal expression of opinion in favour of Clinton's nomination broke forth. His old democratic friends in the country joined in the general wish; the federal party, so long his opponents, had ceased to exist as an organized faction, and its leaders admitted that they could not recall it from its disbanded state to act either in his favour or against him. The partisans who occupied Tammany Hall, and directed the movements of the democratic party in the city, retained the animosity which had been engendered by his faithful exertions to maintain the public peace endangered at the breaking out of the war. A feeble attempt at opposition was made by this party, and Peter B. Porter was brought forward as a candidate in opposition to Clinton. The struggle, however, was almost nominal, and the election of Clinton was achieved with a unanimity unparalleled, except in the case of his uncle, before party divisions had arisen, and while the state was partially overrun by an enemy.

The spring of 1817 was therefore a period of triumph in the life of Clinton. He had achieved

the passage of a bill which ensured the construction of the canal, a result which had for so many years been the first object of his wishes; he had received the almost unanimous expression of the gratitude of his fellow-citizens for his long and faithful services, under circumstances which showed that he was not merely the idol of a party; in addition, the successful termination of an important lawsuit had relieved him from a state approaching to pecuniary embarrassment. Every trace of political division seemed to have been obliterated; and those unacquainted with the occult springs which influence the actions of politicians thought they saw in his inauguration as governor the beginning of a political millennium, in which the angry passions and fierce contests that had been engaged in the long struggle between the federal and democratic parties were to cease their destructive action. Clinton himself, with all his experience, was not free from the delusion, and pronounced that in politics "all was calm." The calm, however, was deceitful, and the precursor of a strife more imbibited than any which the annals of the politics of the state have recorded.

So completely had the old party distinctions been obliterated, that the Legislature of 1818, calling itself republican, chose as senator of the United States Rufus King, who had been the candidate opposed to Tompkins in 1816, and was,

w perhaps, more than any other person, obnoxious to the old democratic party. In this choice, Clinton, who had been so long opposed to him, and who, although repudiated by the supporters of Tompkins, had refused to sustain King when held up as candidate for the office of governor, cordially united.

The opposition to Clinton in the city of New-York was, however, unabated, and was speedily reinforced by the whole weight of the executive influence of the general government. \*Some attempts had been made by mutual friends to bring about a good understanding between President Monroe and the governor of New-York, but they were so injudiciously managed as to lead more speedily to an open breach. Without the necessity of believing the charges, which the opposition have so frequently made, of direct corruption on the part of the general government in the elections of the city, it possesses evidently a great and powerful influence upon the most active politicians by the number and value of its custom-house appointments. The whole of this corps was forthwith banded with the opponents of Clinton's administration.

Clinton, in his struggle with the federal party, had not been sparing in his denunciations and invectives, nor measured in the tone of his speeches and writings. He had also committed the less pardonable offence of holding aloof when it was expected that he would have joined them. The

wounds thus inflicted were but partially healed and easily reopened. From causes which at this distant date can hardly be appreciated, fifty-one gentlemen, comprising a most formidable array of talent and activity, joined in a declaration by which they withdrew themselves from the federal party, and united with the opponents of Clinton. Many of these gentlemen, although opposed to the war in its early stages, had been actively and gallantly engaged in the defence of the country when threatened by invasion; and the leaders of the democratic party in the city were willing to accept of this service, with the promise of their aid in the overthrow of Clinton, as a compensation for their ancient opposition.

Clinton, by the very excess of his triumph, had become possessed of the whole appointing power. The first council of appointment under his administration was composed wholly of his friends, and thus, for almost the only session during the existence of that body, the whole load of responsibility appeared to rest upon the governor. As was natural, he gave in appointments a decided preference to the small band of devoted friends who, during the apparent downfall of his political influence which accompanied his removal from the office of mayor, had remained steadfast in their affections. These were obnoxious from old feelings to the federalists, and still more so to the democratic party of

the city, which had been taught to consider them as apostates. From this cause, in addition to the dissatisfaction arising from disappointed applications, a great loss of popularity arose, and Clinton had not in his hands the powerful engine of party discipline by which unsuccessful applicants for office are compelled to hide their griefs.

The triumph of the canal policy had produced discontent in many of the counties which derived no direct benefit from it. This was artfully fostered; and, assigning to Clinton that prominent agency in procuring the passage of the canal bill, and creating the canal policy of the state, which was afterward denied him by the same persons, an outcry was raised against what was opprobriously styled "the big ditch," and against Clinton as its projector and supporter.

The honest opponents of the canal believed it to be a visionary and impracticable scheme. The political foes of Clinton endeavoured to strengthen them in this opinion by every possible argument, and demanded that his political success should be made to depend on the success or failure of that project. So powerful were these arguments as to shake the belief of many of his most earnest friends, and he was strongly urged by many of them to separate his fortunes from an enterprise, the success of which was at least doubtful. Clinton reassured them by pleading the absolute certainty of its suc-

cess, and determined to risk the chance of victory or defeat on that question alone, which thus became the main point at issue in the ensuing election.

The militia system, as practised in the United States, is obnoxious to ridicule. That shopkeepers, tailors, and attorneys shall, by virtue of a brevet or commission, attach high-sounding military titles to their names, may easily be made a matter of merriment to those who forget that a country shopkeeper successfully defended the Niagara frontier, and carried the war into the enemy's country ; that a tailor trained a militia brigade to manœuvre as well as regular troops ; and that an attorney led the battalions which crossed bayonets with the veterans of Wellington, and drove them from the field. The ridicule which the system itself may be made to provoke, was poured upon the head of the functionary whence the commissions and brevets issued.

His first term of office had been marked by two reforms of great moment in the administration of the laws. The first was the reduction of the number of justices' courts. These had become an absolute nuisance ; the marshals were permitted to act as counsel for the plaintiff in the suit, and strong suspicion was entertained of collusion between them and the magistrates whence they derived their appointments. At all events, the great

number of suits which were decided in favour of those who brought business to the court, gave ground for a belief of unfair influence. By the new law nearly a thousand petty courts ceased to exist, with their retinue of official harpies.

A practice had gradually grown up among attorneys of buying up claims for the purpose of prosecuting them. This had reached to such an extent as to amount to a serious evil. Postested notes, and other demands on which the original creditor would have hesitated to incur the costs, were, when in the hands of legal men, made the source of oppression. This system was abolished by law, and the taxable costs were, in addition, so much reduced as to render it not worth pursuing. The underlings of the legal profession were much enraged at this change, so advantageous for clients, and one of them was so far carried away by his anger as to resign his license in open court.

These reforms fell upon men who are most loud and busy at elections, and arrayed their whole force in enmity against Clinton.

Such being the elements of opposition, and such the weapons it had in its power to employ, it only remained to seek for a suitable candidate to run against Clinton when the three years for which he had been elected as a substitute for Tompkins should have expired. Such a candidate was found in Tompkins himself, who, although he had re-

signed the office of governor in order to accept that of vice-president, was induced to oppose Clinton; and although, if successful, he must return to the post whence he had considered himself promoted. We have already seen what an extent of popularity he had acquired; and he was the most formidable competitor who could possibly have been selected.

Tompkins had been throughout opposed to the canal, and his election would in all probability have been followed by the cessation of all work upon it, and the withdrawal of the funds appropriated as a pledge, except so far as necessary to provide for loans already contracted. On this election, then, depended in a great measure the hopes of the system of internal improvement; for had Clinton been defeated in this instance, it would have been hardly possible to find any politician who would have renewed the consideration of a question, on which he had been so signally defeated.

The election was contested with great spirit on both sides. The southern counties gave Tompkins large majorities, but they were more than counteracted by the population of the West, and Clinton received about two thousand votes more than his opponent. On the other hand, as the division of the state into counties and senatorial districts did not give to the new regions of the West

a representation proportioned to their population, the House of Assembly mustered a majority of the friends of Tompkins, by whom also a large proportion of the vacancies in the Senate were supplied. Clinton therefore entered upon his new term of office in 1819 along with a hostile Legislature.

We have stated that the influence of the executive of the general government was arrayed against Clinton in this election. This influence had been gradually growing for several years. At the adoption of the Constitution, the minor appointments of the custom-house had been chiefly given to officers of the Revolutionary army; and, although by far the greater part of these had joined the federal party, Jefferson would not permit them to be disturbed. This was in accordance with his usual policy, not to remove from office without cause; and the mere expression of preference by a silent vote he did not admit to be one. The number of this respectable body was rapidly thinned by death, while, at the same time, the growing commerce of New-York demanded that more officers should be appointed than would merely fill the vacancies. The appointments were generally made from among those who had been the most active at elections in the support of the democratic party. Gaining their offices by such means, they did not relax their electioneering ef-

forts after appointment, but continued to figure as leaders of the party.

Clinton felt himself aggrieved by the strength which this body of active politicians gave to the ranks of his opponents.

In King's county the election had been decided against him by the workmen of the navy-yard. These, not content with the quiet exercise of the elective franchise, had proceeded to the polls in procession, to the sound of military music.

Indignant at what he considered an unwarrantable interference in the state elections, Clinton could not refrain from alluding to the facts in his speech to the Legislature. This body, although the fact that all on whom the government could exert influence had voted against him was notorious, affected to doubt his statement, and with little courtesy called for proofs. It was trusted, in making this call, that the links by which the acts at the polls were connected with the government at Washington could not be detected, and in the evidence he adduced a part of them was wanting. He however proved, in more than one instance, that votes were given under the influence of fear of loss of office. At the present day, the fact of direct influence exerted by the executive is not doubted, and the evil has become such that a law has been passed by Congress to prevent the offi-

cers of the customs from being assessed for the support of elections.

Clinton, who could not read the secret councils of his enemies, unluckily chose by name as an active agent of the government in opposing him one who was his sincere friend, and had laboured most strenuously to prevent a breach between the president and the governor of New-York, but who, failing in the attempt, for reasons very different from personal hostility, was found in the ranks of his political opponents. The mutual friends of the parties had, however, the gratification to see that, before the lapse of many years, amicable relations were restored between them.

However ably and completely the general truth of his allegations was supported by Clinton, the Legislature treated the matter as a party question, and the only opportunity which has presented itself of examining how far the general government has a right to interfere with state elections, was lost. It would, however, appear to be absolutely essential to the consistency of the principles of a free government, that all who derive emolument either from the state or general government, by an office held during pleasure, should be *ipso facto* disfranchised.

The violence of party which had been brought into action in this election, so far from subsiding after its result was known, became yet greater.

An array of talent, such as has rarely been enlisted in any political struggle, was brought into action by the opponents of Clinton. Serious argument, satirical poems, and newspaper squibs were showered upon his policy, his person, and his friends. His scientific pursuits, in particular, became the subject of ridicule. He, on his side, defended himself manfully; and if he could not consistently descend to encounter the wit of his antagonists, he met and often foiled them in serious argument.

These contests were not carried on without exciting painful feelings. He had to experience the annoyance of seeing men whom he had considered as friends, and who were indebted to him for favours, arrayed against him. The harmony of the canal board itself was broken in upon, and he felt compelled to pour a torrent of indignant eloquence upon one of his colleagues. A still severer trial awaited him in a public conflict with a soldier who stood most deservedly high in the estimation of his countrymen for bravery and good conduct. It is painful to reflect that two such men should, by the force of party violence, have been brought into a position of such deadly hostility. Clinton's letters on this occasion are among the ablest of his productions, and are master-pieces of the art of invective. It may be regretted that he felt it necessary to vindicate himself by retorting the attack upon him; but this course was indispensable

in the critical state of his political prospects, and was successful in sustaining his personal dignity and that of his office.

The result of the election had shown that a very decided majority of the citizens of the state was in favour of the canal policy; for not only was every vote given for Clinton that of a friend to the enterprise, but there were among the adherents of Tompkins some who, although the political opponents of Clinton, were yet committed to the support of that measure. The mode of attack was therefore adroitly changed. It was attempted to deprive Clinton of all merit in the original design of the canal, and all claim to gratitude for his exertions in its behalf. He was accused of having appropriated what was due to Morris; and when the true state of their relative services was known, obscure names, of which the people had never heard, were brought forward to deprive both of the honour. It is remarkable, that in this discussion, Platt, who had been the first to propose action on the part of the state, instead of committing the interests to an incorporated company, with Geddes, who had explored the Erie route, and demonstrated its practicability, were not even mentioned. The former was now classed with the friends of Clinton; the latter, who was probably on the same list, would have disavowed anything which was not actually his due. Neither, there-

fore, were suited for the purpose of lessening the merit of the governor.

During these discussions, the canal commissioners continued their exertions strenuously. The level between Utica and Syracuse was put under contract in 1817; ground was broken the 4th of July of the same year, and this central portion of the canal was finished in 1819.

Clinton retained, with his office of governor, his seat as president of the board of canal commissioners, and devoted all his leisure from the duties of the former to the business of the latter. This business he had from the beginning performed without any compensation, although by usage he might have been fairly entitled to it. He was also placed in a position in which he had an opportunity of speculating in lands likely to be benefited by the location of the canal, and it would have been easy to find associates who would have purchased in their own names, and paid him a share of the profits. This never appears to have been even suggested to his mind as a temptation. No one dared to approach him with such proposals; and any idea of making use to his own emolument of the advantages of his position never occurred to him. This course was not merely creditable to him as exhibiting his own disinterestedness, but from the force of the exam-

ple he thus set to his colleagues, and all the engineers employed upon the work.

While Clinton acted as governor, the business of legislation fell, of course, into other hands. The governor might indeed recommend in his speeches and messages such policy as he approved, but the draught of laws devolved upon committees of the two houses. Still, measures were adopted at his instance, while he yet was supported by a majority of the Legislature, which are of sufficient importance to be mentioned, but others of no less moment, and in which he took a lively interest, were neglected.

In his inaugural speech he recommended the institution of Savings' Banks and the establishment of a Board of Agriculture. These recommendations were repeated in his messages to the Legislature, and both were finally adopted. They have each, in their respective sphere, been of great benefit. The Savings' Bank, by affording an opportunity for investing small amounts, which would otherwise have been expended on useless objects or committed to irresponsible hands, has not only increased the comfort and independence, but raised the moral character of the labouring classes. The Board of Agriculture, with its branches in every county, has excited an emulation among the farmers which has improved their methods of cultivation, and has spread throughout

the state, by its valuable reports, knowledge of the most useful character.

He also recommended, on more than one occasion, reforms of the criminal code as well as of the civil jurisprudence, which were but partially acted upon by the Legislature.

The State of New-York had always exported flour, and the increase of agriculture has kept pace with that of population in such manner that a surplus production of wheat has been maintained. The soil and climate are highly favourable to its culture; and, as experience has proved, there was no reason why the flour of New-York should not bear as high a character as that of any other state. At the time Clinton was elected governor, this was far from being the case. Virginia and Pennsylvania enjoyed a higher reputation in this respect, and their merchants and farmers derived higher profits in consequence. Their flour sold in foreign markets from one dollar and a half to two dollars higher than that of New-York. Clinton satisfied himself that this was not owing to any imperfection in the raw material, or any fault of the manufacturer producing an average inferiority, but to a careless inspection. This, by permitting low qualities to pass with the highest brand, brought the whole crop down to the value of the lowest in public estimation. He therefore, in 1819, proposed an

alteration of the inspection law, which did not pass, but he at the same time superseded the inspector. The consequence of this movement of Clinton has been to exalt the character of the brands of the New-York inspection, until they rank higher than those of any other state.

His speeches to the Legislature were replete with sound views of policy, evincing the experienced and patriotic statesman; and thus, although intended for local purposes alone, they were sought with avidity throughout the Union, and were awaited with greater interest than the contemporaneous messages of the President of the United States.

## CHAPTER XVIII.

*Objections to the old Constitution of the State.—All Parties concur in a desire for its Amendment.—Bill calling a Convention returned by the Council of Revision.—Clinton's Opinions on the subject.—A Law is passed by which the call of a Convention is submitted to a popular vote.—Alterations made in the old Constitution.—Clinton's term of Office is abridged.—He declines to be a Candidate for re-election.—Accident to his leg.—His first Wife dies.—He visits the States of Jersey and Ohio.—He visits Pennsylvania.—He is examined before a Committee of the Legislature.—He is removed from his Office of Canal Commissioner.—Public Indignation in Consequence.—Attempt of the General Government to tax Vessels navigating the Canal.—Clinton is nominated by the Republican Convention at Utica, and again elected Governor.—He marries his second Wife.*

THE strength of Clinton's opponents in the Legislature placed him, in a short time after his second election, in the same position to which he had brought Jay, namely, in a minority of the council of appointment. At the same time, moderate men

of all parties wished to see this obnoxious feature expunged from the Constitution. There was also a strong and influential body that desired the equalization of the elective franchise, which, under the old Constitution, was confined in the choice of governor and senators to freeholders alone. There were others who were satisfied of the inexpediency of that feature of the old Constitution which vacated the offices of chancellor and judges when the incumbents reached the age of sixty years. Finally, it was believed by many, that the fact of the judicial officers having in the council of revision a veto upon the laws passed by the Legislature, exposed them to the risk of being tempted, and thus impaired public confidence in the purity of the bench. All classes of men therefore united in a desire that a convention should be called to amend the Constitution.

The moderate and judicious seem to have desired that the council of appointment should be continued, to act as the advisers of the governor, not as his co-equals in this branch of executive authority; and it cannot be doubted that a similar provision in relation to the council of revision would have removed the objections to that body, and rendered it a most valuable part of the government. Experience seems to have proved since that it would have been better that the executive should have had a right to resort to the

opinion of the united wisdom of the bench on questions of constitutional law, rather than to the advice of the attorney-general, who can rarely be independent of a party bias. That judges should retire from office at an age when, if activity of body begins to decay, the mind is at its maturity, seems to be contrary to all natural reason, and reverses the practice of all countries.

In respect to the elective franchise the question is more difficult. Two opinions have been maintained with almost equal force: the one holds that the possession of at least a moderate property is a test of wisdom and intelligence well suited to be a standard of the qualifications of an elector, while the ownership of the soil gives him a personal interest in the stability of government and national prosperity, which he who has no such ties can never feel; nor, as it was maintained, could the vesting of power exclusively in such hands ever degenerate into an aristocracy, so long as the equal division of property among all the children of the same parents was maintained both by law and custom, and all possibility of creating entails was prevented. This opinion has been stigmatized as aristocratic, but has been defended as the true principle of freedom, and in its favour the example of Rome has been adduced, which retained its republican institutions so long as the *comitia centuriata* constituted the sovereignty, but fell first

into anarchy, and finally into a military despotism, as soon as the distinctions arising from taxable property, which formed the basis of that mode of voting, were abolished.

On the other hand, it has been maintained, that as it is the very principle of American liberty that all men are born free and equal, any distinction in the right of voting is in opposition to it. Clinton, who, during his whole political course, placed the firmest reliance upon the virtue and intelligence of the people, was of the latter opinion, although it does not appear that he carried his views of the extension of the franchise to the length it has now reached. To the will of the public, expressed in their primary assemblies, he always appealed as the tribunal of last resort on political questions; and, next to the canal, the darling object of his later years was to bring the choice of electors of president immediately to the people.

In the general wish that the Constitution should be amended, Clinton participated, and the call of a convention for the purpose was recommended by him in his message. The Legislature, although in opposition to him, was obedient to the popular will, and a law directing the election of delegates to a convention was passed. In passing this law, the Legislature virtually assumed the sovereign power to be vested in it, and the convention

would have acted under an authority having its source in the Senate and House of Assembly. In this view of the subject Clinton did not concur. He conceived that the sovereignty resided of right in the people, convened in their primary assemblies. When the bill, as passed by the Legislature, came before the council of revision, he pointed out this defect in its principle, and by his casting vote it was returned to the Legislature. Here it was recommitted, and a new law framed, by which the question whether a convention should be called was submitted to a direct vote at the popular elections.

This vote was in the affirmative by a large majority, and a convention was in consequence chosen, which assembled at Albany. The political opponents of Clinton took advantage of his act in the council of revision to represent him as opposed to all change; and although, to all appearance, but little party spirit was manifested in the election of delegates, it was adroitly managed in such manner that but few of his immediate friends were chosen.

The convention numbered a great many persons who had been distinguished in the party warfare of the state, and several who had held important public stations during the prevalence as well of the federal, as of the democratic party. Between these it was supposed that a broad distinction existed in relation to the limit of the right

of suffrage. The federal party, it was believed, held the doctrine of the English republicans, and which had been the basis of the arguments by which the American Revolution was justified ; namely, that taxation and representation should be coextensive. It was, in consequence, expected that the members of the convention who had belonged to this party would have opposed any farther extension of the right of suffrage in the election of members of Assembly, and been reluctant to do away with the freehold qualification in the voters for governor and senators.

The democratic party, on the other hand, had secured its ascendency by avowed obedience to the popular will, and an effort on its part to deprive the freeholders of their peculiar privileges was to have been expected.

To the surprise of those who were not acquainted with the secret springs of action, all parties exhibited an anxiety to outbid each other for popularity, by extending the right of voting for all offices to the widest possible limit. More doubt and hesitation was shown at first by the old republicans than by those who had been counted as federalists ; but the desire of appearing on the popular side prevailed with all, and no requisite was demanded in any voter except citizenship and residence.

The security of the institutions of the State of

New-York, and of the life, liberty, and property of its inhabitants, must henceforth depend on the virtue and intelligence of a majority of its voters. It is not to be disguised, that many anxious patriots entertain forebodings that the experiment has been extended too far, and may not be successful. No doubt need be entertained of the permanence of the mere forms of republican institutions, but their fears point to a diminution in the sanctity of property, and of security for persons who may become obnoxious to popular displeasure from violence unauthorized by law. Such gloomy forebodings are, however, founded on a belief that the new classes of voters are ignorant and vicious; against which we have a sure remedy in the universal extension and beneficial influence of the common school system.

By the Constitution framed by this convention the council of appointment was abolished, the right of nomination being vested in the governor, and the concurrence of the Senate was rendered necessary. The council of revision was also abolished, and the veto vested in the governor, subject to a reversal by a vote of two thirds of the members of both houses. The objectionable feature in relation to the judges was retained, showing how, in such instances, party spirit and feelings of individual dislike may prevail over considerations of public good. The chancellor and judges had not

joined the party in opposition to Clinton, and there was not sufficient manliness to point them out directly by allowing their offices to expire on their reaching the age to which the old Constitution had limited their term, and ordaining that their successors should remain on the bench to a more advanced period of life.

The convention mustered a decided majority of the opponents of Clinton. In spite of this, the canal policy, for which he had so long contended, was triumphant. Clinton's belief in the correctness of the final judgment of the people was justified; and those who had on former occasions been the opponents of the canal, were now compelled, by public opinion or by their own convictions, to support its policy. The canal was made inalienable by any act of the Legislature; and the fund, which had before been pledged by law, was now established more firmly by a clause in the Constitution.

The new Constitution, by changing the day on which the legal year began from the 4th of July to the 1st of January, abridged Clinton's term of office; and it was believed by many that the desire to remove him had been the real object of this change.

A new division of parties had arisen, founded on the claims of different individuals to the presidential chair. Mr. Monroe had undertaken to

govern without reference to the ancient divisions of party, and three candidates for the succession started from his own cabinet. General Jackson and Mr. Clay were also named; and there were not wanting many persons in other states who would gladly have given their suffrages for Clinton himself. In the State of New-York, Messrs. Crawford and Adams were the prominent candidates, and parties were formed in support of their respective pretensions. With neither of these would Clinton connect himself, and he would not appear as a candidate for the office himself. He therefore resolved not to be a candidate for the office of governor, which would have required his uniting himself to one of these parties, or coming forward as a candidate for the presidency.

The long sway of a party opposed to him in the Legislature, and the proscription to which all who avowed themselves his friends were exposed, had the effect of terrifying all aspirants for political influence or lucrative offices from his side; and the artful policy of his enemies, in adopting his favourite measures, had left him without the power of joining issue with them in an appeal to the popular voice. Joseph Yates was elected in his stead, overcoming a feeble opposition on the part of Solomon Southwick.

In the summer of 1818, Clinton met with an accident which caused the fracture of his leg. His

recovery was slow and painful, and he was compelled for some time to use crutches; nor did he ever wholly overcome a slight lameness. This injury had an unfavourable effect upon his health, by rendering him unable any longer to take the exercises to which he had been accustomed, and in which he took pleasure. He had been in the habit of riding much on horseback, and was fond of field sports; from both of these he was now debarred; and to this change in his habits, from active to sedentary, may be ascribed the gradual approach of that disease, which carried him off in the zenith of his faculties.

This accident was preceded by a severe affliction in his family, the loss of his wife, who, in the language of his diary, "retired to another and better world with characteristic fortitude."

The retirement of Clinton from office did not cause him to cease from his exertions for the public good, but rather extended the sphere of his beneficial action. If, in his native state, there were those who doubted the importance of his agency in creating the canal policy, and others who, with better knowledge, denied him due honour, he was, in other parts of the Union, fully appreciated; and those who, with just views of duty, sought to extend to their own states the benefits of the policy so successful in New-York, appealed to his powerful aid.

In the State of New-Jersey an old project had been revived for the construction of the Raritan and Delaware Canal. The great importance of this measure, in a national point of view, had been developed in the report of Mr. Gallatin. At the same time, a novel and almost unexampled plan of a canal across the great Atlantic ridge from the Passaic to the Delaware had been brought forward. The friends of the latter measure requested Clinton to visit the region and inquire into its practicability. Having satisfied himself that the means proposed were feasible, he drew up a report on the subject, urging that this canal should be constructed by the state. Some weeks after, on the invitation of the state authorities, he visited Trenton. Here he not only enforced by personal communication the opinion he had already given, but exhorted the two rival sections of the state to union, and pointed out the advantages of making both canals at the expense of the state. In this instance his enlightened views did not prevail. The Legislature shrunk from the responsibility of undertaking both canals, and the partisans of each were too powerful to allow of the adoption of the other as a state work. Subsequently, the two enterprises have been each intrusted to a chartered company, and the result of their operations has justified the prescience of Clinton. Enough has been done to show that, had the state executed

them, both must have been profitable; while to the companies which have held them, from causes inseparably connected with the management of chartered companies, they have yielded no profit. The Delaware and Raritan Canal has imposed tolls so high as to exclude all transit of heavy commodities, while the Morris Canal has, by a departure from its original plan, and deviations from the system on which Clinton's opinion of its feasibility was founded, become so costly, that a trade as large as was anticipated does not pay an adequate dividend. The Legislature, too, in order to encourage capitalists to embark in this project, endowed the Morris Canal Company with banking privileges, and these have been so badly managed as almost to involve it in ruin.

He was also invited to visit Ohio. Here his views of policy prevailed. That state, after deliberate inquiry into the practicability of a canal from Lake Erie to the River Ohio, undertook its construction; and to Clinton the high compliment was assigned, although in no official capacity, and in the presence of the governor of the state, of removing the first earth of the excavation. His journey through Ohio was one continued triumph, and resembled more the progress of Lafayette than the travel of any native citizen of however exalted rank or extended popularity.

In the summer of 1824, Clinton, by invitation,

visited the State of Pennsylvania, for the purpose of giving the aid of his high authority in the furtherance of the system of internal improvements projected in that state. A want of enterprise and exertion had hitherto characterized its Legislature, and it had intrusted to private companies some of the most important lines of communication within its limits. In its subsequent awakening to a sense of the importance of taking the public works into the hands of the state, a desire to meet the views of every interest has caused the expansion of the operations over too great a space. Partial efforts have been made in many places, and on these an amount of money has been expended, which, if applied to any single object, must have yielded adequate returns. These improvements do not even pay the interest on their cost; and, by a want of foresight, no adequate funds were provided in advance to meet such an emergency. The example of this great and opulent state, which is at present paralyzed in its exertions for the want of wise and decided measures, may serve to show of how great importance it was to the State of New-York that there was in it one person possessing sufficient weight and influence to direct its energies in a more skilful manner.

Clinton seemed born to illustrate in his own person the fickle character of attachments founded on political considerations. Up to the year

1812 he had been the idol of the democratic party in the State of New-York, and had been their almost unanimous nominee for the office of president of the United States; but when the influence of the general government was exerted against him, all the leading politicians, with rare exceptions, abandoned him. Nor were they content with this, but commenced attacks upon him until he was removed from the mayoralty. His subsequent elevation to the office of governor was a spontaneous act of the people, in which politicians by profession had little to do; but he was at once surrounded by those who had persecuted him in his adverse fortunes. The close of his second term as governor was attended by a similar desertion of political men; and in the Legislature which first met under the new Constitution, hardly a man was to be found bold enough to avow himself the adherent of his fortunes.

In the succeeding Legislature the case was still stronger, and to coldness was added direct injury. He was, in the first place, called before a committee of the Legislature to be examined on the subject of the canals. The examination, it is said, was not conducted with any of the courtesy to which the rank he had recently held in the state would have seemed to entitle him. It would appear to have been intended to afford grounds for the justification of an act which the leaders of the

dominant party had resolved upon, but they failed in finding any. The act, however, was not, for that reason, left undone. On the last day of the session of 1824, a resolution was introduced into the Senate removing Clinton from his office as canal commissioner. This resolution was carried without debate, and with but three dissenting voices. In the House it prevailed by a vote of more than two thirds of the members ; no speech was made in justification or explanation of it, and the only opposition in words was an eloquent and indignant speech, made on the spur of the occasion by Cunningham, of Montgomery county, a man whose honesty of purpose, independence of character, and promising talent were prematurely lost to the state.

At the time of this vote Clinton had been for fourteen years steadily engaged in promoting the cause of the internal navigation of the state, and, whether in or out of office, had received no compensation for these services. It seems to have been believed by the leaders in this unmerited insult, that Clinton had entirely lost all his popularity, and that it was only necessary to deprive him of the little influence which the office of canal commissioner gave him, in order to close his political career for ever. In both views of the subject they were mistaken. Clinton, although to appearance abandoned by all his mere political

partisans, had lost none of his well-earned popularity with the people at large, and this act of the Legislature served to call this popularity into action. The news of his removal had no sooner reached the principal towns in the state, than meetings were called to express the popular indignation at the removal of Clinton from the office he had so long and so worthily held. In the City of New-York, not less than ten thousand persons assembled at the call; and the proportionate numbers were much greater in other places, for the city still continued to be the seat of his most active opponents. Many of these, however, united in the proceedings, and the chairman of the city meeting was Colonel Few, who had long been opposed to him in politics.

The term of office of Governor Yates was about to expire, and a convention was assembled to nominate a candidate for the succession. At this convention, Clinton, much to the surprise of those who had considered him as completely fallen, was a: once proposed as a fit person to be selected. A discussion arose, which ended in the retirement of the delegation of the City of New-York and a few others, amounting in all to twenty members. After the secession of this party, the nomination of Clinton was concurred in with absolute unanimity.

The overwhelming influence which was brought

to bear upon this convention by the popular voice, arose in a great degree from a correct appreciation of the value of his services in securing the construction of the canal and the triumph of the policy of internal improvement. It was also aided by the strong interest which Clinton took in the question of the manner of choosing the electors of president. This had been hitherto done by the Legislature; and a strong effort, in which Clinton aided, was now making to give the choice directly to the people. Those politicians who, with the loudest professions of obedience to the popular will, held the power in their hands through a majority of the Legislature, were averse to parting with it, and the contrast between their professions and acts had no little effect in restoring the influence of Clinton.

An important question had also arisen in respect to the navigation of the canal. Its size was such that the vessels which navigate it fall within the description of those required to receive licenses from the custom-houses of the general government. Although the administration was in the hands of those professing an exclusive attachment to state rights, an attempt was made to extend the authority of the officers of the customs over the vessels navigating the canal. As the canal lies wholly within the limits of a single state, this attempt could not be justified upon the grant of

powers to regulate either foreign commerce or that between the states. To have brought this plan into operation would have been a gross and unwarrantable usurpation, and as such it was considered by all those who had a proper feeling of the rights of their native state. There was, however, a moment when it appeared probable that the attempt to enforce this measure would be successful. It therefore became necessary to unite all the strength which could be collected in opposition to it. It was seen and felt that Clinton was the leader under whose direction this opposition might be most efficiently brought into action, and that in the office of governor alone he would have the power necessary to counteract the contemplated usurpation.

The party which had withdrawn from the convention did not submit quietly to its decisions, but nominated Colonel Young, the former colleague of Clinton in the canal board, as a candidate in opposition to him. His nomination, however, met with a signal defeat, and Clinton was elected governor by a majority over his opponent of upward of sixteen thousand votes.

We have in this place to speak of Clinton's second marriage, which occurred before the close of his second term of service as governor. The lady whom he chose was Miss Catharine Jones, the daughter of Dr. Thomas Jones, an eminent

physician in the City of New-York. It would appear, from passages and extracts in his common-place book, that the propriety of contracting a second marriage had been a subject of serious reflection, and that his judgment was fully satisfied that the step was an expedient one. Of this estimable lady, who still survives, feelings of delicacy will prevent us from saying more

## CHAPTER XIX.

*Success of the Canal Policy.—Silver Vases are presented to Clinton by the Merchants of New-York.—He is invited by Mr. Adams to serve as Minister to Great Britain, and declines.—Great Celebration of the opening of the Canal.—New and important Public Works recommended by Clinton.—His plan of a Board of Public Works.—Antimasonic Excitement.—Coalition to defeat Clinton's election as Governor.—He is, notwithstanding, re-elected.*

IN conformity with the election of which we have spoken, Clinton resumed his seat as Governor of the State of New-York in January, 1825. He now had it in his power to communicate officially the triumph of the system of which he had so long been an advocate. Little more than seven years had elapsed since the first earth was removed from the bed of the canal, and it was now approaching to completion. In the summer of 1823 boats had passed into the Hudson, and the navigation was open thence to within a short distance of Buffalo. The revenues of the canal fund had derived the increase he had anticipated from the very action of the canal itself. The two principal items were

the salt duties and those on auction sales. The facilities afforded to the transport of salt had enlarged the sphere of its consumption, and thus the quantity manufactured had been increased. Wealth had been diffused along the line of the canal, calling for new articles of luxury and utility, while the abundance of the products of which the City of New-York became the market and the place of export, was rapidly rendering it the central point of the import trade of the Union. The sales at auction were multiplied from all these causes, and a larger revenue accrued. The canal itself, although not completed, nor in the reception of the trade of the Western Lakes, already yielded tolls of an unexpected amount. It happened from all these causes that Clinton had the satisfaction to announce, in his first message to the Legislature, that the income of the canal fund, when added to the tolls, exceeded the interest on the cost of the canal by nearly four hundred thousand dollars.

A degree of prosperity unexampled, and hardly anticipated by the most sanguine, prevailed throughout the state. The City of New-York, which in 1818 had witnessed a decrease in its population, and a prodigious fall in the value of property, had now recovered its prosperity, and was increasing in population and wealth in a ratio higher than at any former period. The counties on the banks of the Hudson, and those on Long

Island, which had feared a decay in their agriculture in consequence of the admission of rivals from the West in the supply of the city, saw these gloomy anticipations contradicted by experience. The western parts of the state had been in a manner created by the operation of the canal. The regions whence the transport of the produce to the Hudson had been equal to its whole value in Albany, were now placed almost on equality with those upon the Hudson. Land to the west of the Seneca Lake was enhanced in value fourfold, and that less remote, if not benefited in as high a ratio, derived advantages corresponding to its distance.

The mercantile interest in the city, enjoying a degree of prosperity such as the most sanguine anticipations had never contemplated, considered Clinton as the prominent cause of the vast increase of trade which the canal had opened. It was therefore resolved to take measures for the purpose of signifying to him the high opinion which was entertained by the merchants of his public services. With this intention a meeting was called, at which it was determined that a subscription should be raised for the purpose of purchasing articles of plate, to be presented to Clinton as an evidence of their gratitude, and to serve as a durable memorial of the benefits conferred by him upon the City and the State of New-York.

The subscription was speedily filled up; and, in

conformity with the intentions of the meeting, two large and rich silver vases were procured, and formally presented to Clinton by a committee on behalf of the merchants. Valuable as was the material of this present; much as the workmanship, remarkable for beauty of design and elaborate execution, exceeded the material in cost, the gift owed its real value to the fact of its being the symbol of the unanimous approbation of the most intelligent, enterprising, and public-spirited body of citizens which could have been collected for any object whatever. The merchants of New-York belong to all political parties; are connected with every diversity of religious sect; they are, besides, divided by variety of interests and occupations, and are actuated by strong feelings of rivalry. On no other occasion have they ever been united in an unanimous expression of opinion; and the proverbial acuteness with which they discern matters effecting their pecuniary interests, renders this spontaneous tribute to the merits and services of Clinton a compliment such as has been paid to no other American statesman.

After his death, these vases, under the law of the equal distribution of inheritances, were, in the absence of a will, necessarily sold. At the sale they were purchased by a new subscription, and presented to his oldest surviving son. It is in instances of this sort that the law abolishing all

entailment seems hard and impolitic. It might have gratified the donors to know that the gift would never be alienated from the family of Clinton, and the gift would have been enhanced in value to him.

Clinton had, as we have seen, avoided engaging himself with the adherents of either of the candidates for the presidency in the place of Mr. Monroe. The most prominent of these had been members of the cabinet of that gentleman, and the decided opposition which he had shown to Clinton's interests in New-York must have prevented him from having any very friendly feeling towards them. On the withdrawal of Mr. Crawford, the party which had supported him turned their views towards General Jackson. To him alone of all the candidates could Clinton have any personal liking. The friends of Crawford had been the agents in his removal from the office of canal commissioner, while the very men who had been most influential in obtaining for Adams the electoral vote of New-York were those who had seceded from the convention by which Clinton was nominated for governor. Jackson, on the other hand, had rebuked, in the very seat of the power of the personal opponents of Clinton, the ingratitude of the state towards its most useful and distinguished citizen. Still it was impossible that Clinton could act with the party which, on the withdrawal of Crawford, transferred their support to Jackson.

Hence, at his election as governor, he was free from all connexion with the friends of either of the candidates for the presidency.

The vote of the electoral colleges was not decisive; the choice of president therefore devolved upon the House of Representatives, and Mr. Adams was elected. This gentleman was no sooner made aware of his success, than he determined to offer to Clinton the appointment of minister to England. The offer was accordingly made, but was, without hesitation, declined by the latter. In his refusal, Clinton assigns as the principal reason, the obligation he was under to the citizens of his native state, who had so recently and by so large a majority elected him to the chief magistracy. There is no need of searching for other motives, nor is it probable that any other influenced him at the moment. It is obvious, however, that Clinton would have been brought, by the acceptance of the office, into political communion with many who had been his opponents from personal enmity as well as upon political grounds. A few months' experience satisfied him in confirmation of the correctness of his decision, that Mr. Adams could not hope for a re-election, and that all who had become connected with him must share in his downfall.

The office of Governor of the State of New-York held out to Clinton, at the moment, induce-

ments for continuance in it which no temptation in any other direction could probably have overcome. The canal, to which so much of his attention had been devoted, and in which he had taken so lively an interest, was approaching its completion ; and to preside as chief magistrate at the celebration of the entire opening of that work, into which he, as senior commissioner, had put the first spade, was a triumph such as few men have been able to enjoy. As this great undertaking approached its conclusion, preparations were made along its whole extent for public rejoicings ; nor were such preparations confined to the banks of the canal, but extended to the shores of the Hudson and the City of New-York. The water of Lake Erie was admitted into the canal on the 26th October, 1826, and the interesting fact was announced by signal cannon, which conveyed the joyful tidings in a few minutes to the beach of the ocean. Immediately thereafter, a flotilla set out from the harbour of Buffalo, conveying the governor, the canal commissioners, and numerous distinguished persons, and bearing the symbolic representation of the lake to be wedded to the deity of the ocean. At Albany the flotilla was increased by an escort of steamboats, and, on entering the bounds of the City of New-York, the corporation and public authorities joined in the aquatic procession by which the water of the

lake was borne to be mingled with the tide of the sea.

Our country has never witnessed any ceremony accompanied by such pomp, nor one which diffused in every breast such unmixed feelings of gratification. All feelings of party spirit were suspended, and even the bitterness of personal animosity was for a moment neutralized. Clinton was received at every place as the chief instrument of the blessings which had already been experienced, but which all felt to be the mere prelude of what were to follow ; and, while thousands had aided in promoting the great design, no whisper was heard to indicate that he had any rival in the magnitude of his exertions or the amount of his services.

A mind of ordinary character might have been content with the glory thus acquired ; one who had attained such a height of reputation without deserving it, might have feared to venture it by proposing new measures of the same description ; while devotion to the cause of the Erie Canal might have had the effect of rendering even clear-sighted persons blind to the value of other plans of internal improvement. Clinton was influenced by no such feelings. Even before the canal was completed, and in the very act of seating himself in the gubernatorial chair, he pointed out to the Legislature new channels of internal communica-

tion, as likely to be new sources of wealth to the state.

The counties which lie on the right bank of the St. Lawrence are naturally rich and fertile, but, in consequence of the difficulty of communication, land situated in them has rather fallen than risen in value since the internal improvements of the state were begun, and the population has shown a disposition to remove to more accessible regions. A part of this country might be brought into communication with the Erie Canal by means of a canal from the valley of the Black River to that of the Mohawk. This, however, would be costly, in consequence of the height of the summit level, unless some cheaper mode than that of locks could be introduced for overcoming it. The mountains which occupy so great a portion of the north of the state, fall away about the 45th degree of latitude, and it is obvious that a canal from the St. Lawrence to Lake Champlain is practicable. This would open the whole of this region, and render it accessible to commerce. Clinton recommended this line of communication to the notice of the Legislature; and, as the best route would enter partly into the British territory, suggests the propriety of endeavouring to obtain permission to make the canal from the government of Great Britain, or of negotiating an exchange for territory in some other region. Nothing has been done towards the

promotion of this project, and it will rest among those instances in which local interests have triumphed over the public good.

It had been among the points of policy which Clinton had most strenuously supported, that the communication with Lake Ontario should be avoided. When, however, the completion of the direct route to Lake Erie was assured, an important region on that lake seemed to demand a communication with the great canal. Clinton entered warmly into the support of this project, and made it the subject of a recommendation to the Legislature.

It has been seen that an imperfect navigation, interrupted by portages, had connected the Cayuga and Seneca Lakes with the Mohawk, but from the Erie Canal no communication to those lakes had been provided. Canandaigua Lake, which had been before reached by no navigation, although of less extent, lies also in the heart of a rich country. The connexion of these three lakes with the Erie Canal, appeared to Clinton to be an object of great importance, and the consideration of this subject was, in consequence, urged upon the Legislature.

Crooked Lake empties its waters into the Seneca Lake, and from the head of the former a long portage had afforded access to the Tioga or Chemung Branch of the Susquehanna. It appeared that a canal was practicable in this direction, and

this seemed to Clinton of sufficient importance to be made one of the subjects of his first message to the Legislature.

Of these projected canals, those which join the Seneca and Cayuga Lakes to the Erie Canal have been constructed, in conformity with Clinton's recommendations, as has that from the Seneca Lake to the Chemung. Those who have entertained less liberal views of the policy of the state in respect to internal improvements, have not failed to remark, that the tolls on these canals have not met the interest on their cost. It seems, however, to have been demonstrated, that the state is no loser; for, although the receipts collected on the lines of these canals fall short of this object, it is to be considered that, if they be added to the tolls accruing to the Erie Canal from vessels which enter it from these lateral navigations, the sum will be more than sufficient to meet the interest on the cost of these public works. Even did they not suffice for this purpose, an amount of wealth has been created by these canals which far exceeds their whole cost.

Besides these subjects of general interest, Clinton did not refuse to devote his attention to matters merely local. Among the most important of these was the project for supplying the City of New-York with water. The necessity of some provision for this purpose was also pressed upon

the Legislature in his first message. This recommendation, although not acted upon at that time, was the first step towards that grant of additional powers to the corporation of New-York, which has led to the execution of the plan of bringing water from near the sources of the Croton for the supply of the teeming population of that city.

The same message contains a recommendation that a board of public works should be "constituted, with authority to consider and report on all subjects relative to the establishment of communications by land and water, by roads, railways, bridges, canals, and water-courses, with a general superintending power over their construction." In relation to this plan he remarks, "The field of operation, and the harvest of honour and profit, are unbounded : and if our resources are wisely applied and forcibly directed, all proper demands for important avenues of communication may be answered in due time and in proper extent." No one can look upon the course which events have taken since his decease without being satisfied of the wisdom of this recommendation, and of the great advantage the state would have derived from a board exercising a superintendence over all plans of improvement, in the place of one confined in its operations to the Erie and Champlain Canals.

The year 1825 was marked by an incident

which produced a change in the aspect of parties and for a time set at defiance the calculations of the most experienced politicians.

A person of the name of Morgan, residing at Batavia, in Genesee county, had undertaken to publish the secrets of freemasonry. This had been resented by some over-zealous brethren of the craft and the obnoxious party was abducted, nay, in all probability, murdered. For this act there can be no possible defence. However guilty, in a moral sense, may have been the individual who had violated the solemn oaths by which it is said the admission to this fraternity is guarded, it was not a crime in the eye of the law; and, in a well-regulated community, the right of inflicting punishment even for legal offences is not to be exercised by individuals or associations.

Many have presumed, from the vengeance with which Morgan's publication was visited, that he had revealed at least a part of the treasured secrets of masonry; and the only actual ground of fear to which that association was subjected, is to be found in the puerile character of the ceremonies it unfolds. They are, in truth, unmeaning in themselves, and mere contrivances to prevent the admission of the uninitiated, by requiring the remembrance of words, signals, and ceremonies, which could not easily be compassed or imitated by those who had not received the key. It is, however, said by

some, that this association, deriving its origin from the architects of those magnificent temples which illustrated the ages called dark, possesses many noble and sublime traditions ; that it embodies the mystic knowledge of the Templars, and a traditional learning, whose amount may be estimated from the contrast which the skill and science displayed in those edifices exhibits, when compared with the ignorance and barbarism of the ages when they were erected. Others claim for it a still more ancient origin, and trace it to the builders of the temples of Egypt, which remain, after the lapse of forty centuries, to attest the genius and talent of their founders.

Whatever be its origin, masonry has, beyond a doubt, been applied to some of the noblest purposes, but may readily be perverted to those of a criminal or dangerous character. In our Revolutionary struggle, its lodges were the places in which patriots and statesmen matured schemes of resistance to British power ; and the calamities of war were in more than one instance relieved by the feeling of masonic ties. On the Continent of Europe they have been the receptacle of the aspirants for release from the arbitrary power of civil rulers and the sanguinary tyranny of a persecuting church. The character of a freemason had thus become, in Italy, Austria, and Spain, a mark for proscription. In Mexico, the two rites of York

and Scotland have been made the rallying-points of parties in the state. In the United States, initiation to masonry has, to all appearance, been conducive to the advancement of political men ; but, as it is accessible to both parties, it does not appear to have influenced the triumphs or defeats of either.

It is one of the peculiarities of this mysterious transaction, that there is little or nothing contained in the work of Morgan which had not previously been published in England towards the close of the last century, without exciting remark. Many have, in consequence, imagined that his sole object was to make money by the sale of a book, which might, to the uninitiated, appear to be a revelation of the object of their curiosity, while it was, in truth, no breach of the oath of secrecy.

Clinton had become a freemason at an early age, and had been elected finally to the highest offices of the association. In this capacity, it appears from his correspondence, that he was repeatedly applied to for advice as to the obligation of the masonic engagement. Replies to such applications occur in his letter-book long before the excitement caused by the disappearance of Morgan arose. They are of uniform tenour, and declare the masonic covenant to be inferior in obligation to the duties of the man, the citizen, and the Chris-

tian, to which, if found in opposition, it, in his opinion, ought in all respects to yield.

The abduction and probable murder of Morgan caused an excitement which can only be regarded at the present day as a passionate dream. It was not directed against the individuals who had been instrumental in the unhallowed act alone, but against all the members of the society, and was seized upon by political aspirants as a means of bringing them into notice and raising them to power. To the party thus formed Clinton was necessarily obnoxious, from the lofty station he held in the brotherhood. He had, in consequence, a most difficult part to play ; for, while his duty as the chief magistrate of the state called upon him to take measures for the discovery and apprehension of the offenders, the sweeping nature of the denunciations, and the hostile partisan spirit of which they were the expression, were offensive to him as a man, and injurious to him as a politician. He did not, however, falter in the strict fulfilment of his duties ; every power of his mind, every prerogative he possessed as governor, were called into action for the purpose of bringing the offenders to justice ; and the anxiety he felt that the supremacy of the law should be vindicated, seems to have pressed upon his already declining health. On the other hand, he could not avoid expressing his surprise, that the unauthorized and disavowed acts of a few ill-judg-

ing persons should be made the grounds of proscription against all the members of the masonic fraternity.

The sheriff of one of the frontier counties was accused of participation in the abduction of Morgan. The governor forthwith propounded to him a series of written interrogatories relative to his agency in the transaction, and, on his refusal to answer, issued a proclamation removing him from office. This person, it is to be recollectcd, was his steadfast friend and political supporter; but he would not allow any personal considerations to weigh against the public interest.

In an interview which the removed sheriff sought, he said, "Strong as is my attachment to you, I will, if you are guilty, exert myself to have you punished to the utmost extent of the laws." To which the trembling culprit replied, in faltering tones, "I have done nothing worthy of chains or death."

It is to be feared that this is the last instance of such stern political virtue. The politicians of the present day, far from emulating the example of the elder Brutus, seem to be willing to screen the criminal acts of their adherents; and it is more than insinuated, that party devotion has been accepted as an excuse for the faithful discharge of the duties of office, and served as a screen for actual malversations.

The formation of a political party upon the masonic question, not only in the State of New-York, but in those of Pennsylvania, Vermont, and New-Jersey, is not an isolated instance of the avidity with which political aspirants seek out any incident on which to ground partisan agitation. It is, however, of all that have been thus chosen, perhaps the most singular, and the least promising to lead to any of the desired results. The excitement which naturally prevailed in the immediate neighbourhood where the crime was committed, was not of the sort that could be propagated to a great distance; and those who, without feeling it, undertook to spread it from motives of cool calculation, were grievously disappointed, for the diversion it caused in the array of parties became the sure means of confirming the power of their adversaries.

When Clinton became a candidate for re-election in 1826, the fact of his being a mason was made use of to diminish his popularity. This argument had its most powerful effect in the very region where his greatest strength lay; namely, in the part of the state west of the Cayuga Lake. A formidable coalition was also formed against him from materials to all appearance the most discordant. The old supporters of Mr. Crawford as a candidate for the presidency were leagued with the adherents of the existing administration, and to the latter were added many of the friends of Mr.

Clay The influence of the custom-house and that of the canal commissioners were called into action to defeat the election of Clinton. Judge Rochester was held up by this coalition as a candidate for the office of governor. The opponents of Clinton were unable to make any impression on his well-merited popularity with the people; but that very popularity was the cause of an over-confidence on the part of his friends. From these causes the vote was so far diminished from that of the previous election, that it was estimated that from twenty to thirty thousand voters did not put in their ballots; and all of these were persons who, had they voted, would have voted for Clinton. In spite of this remissness on the part of his friends, he was re-elected by a majority of upward of four thousand.

## CHAPTER XX.

*Clinton's views of Religious Worship.—His Services to the Presbyterian Education and Bible Societies.—His occasional Addresses.—Great change in the Relations of Parties.—Clinton recommends the Road through the Southwestern tier of Counties.—His Illness and Death.—Political Reflections.—Description of Clinton's Person, and Remarks on his Character.—Illustrations of the importance of his Services in promoting the Canal Policy of the State.*

CLINTON'S early education had been strictly religious. The habits of family worship and catechetical instruction which the first American settler of the race had brought from the land of his forefathers, were maintained by General James Clinton. Their faith was, as we have seen, that of the Presbyterian Church. In the excitement of parties growing out of the French Revolution, many of those who were in favour of the alliance of the United States with France, and of the democratic party in general, either openly avowed principles of infidelity, or silently gave up the forms of attendance upon Christian worship. In this respect the example of Jefferson was perni-

cious, for his opposition to an established church seems to have carried him to the opposite extreme of discountenancing all public expression of religious feeling. In spite of the intimate political connexion of the Clintons with Jefferson, they were not tainted either with the feelings of luke-warmness or the errors of infidelity. Clinton's alliance with a Quaker family in the early part of his life, may have rendered him less tenacious of the rites which other Christian sects insist upon, and which that denomination has rejected ; but of the essentials of religion he was, even when pressed by political care and personal anxieties, a regular and conscientious observer. While holding the office of mayor, his punctual attendance with his family on the public services of the Presbyterian Church not only marked his own belief, but served as an example to others. With the venerable Dr. Rodgers, the senior pastor of the associated congregations of that denomination, and with the Rev. Dr. Miller, one of his colleagues, he was in habits of close and familiar intimacy ; and the adhesion of these pious and exemplary men to the political party to which Clinton belonged, served as a complete refutation of the opinion which united the democratic cause with the impious principles of the French Jacobins.

On his removal to Albany, the same attention to the external forms of religion was manifest,

and he became a communicant of the Presbyterian Church. In the conflict of rival creeds, the several sects must look to the influence and character of their lay members as the proof of the benign influence of their tenets, and as the temporal support of their principles. The Presbyterian Church, in consequence, prided itself, at least as much as such pride in spiritual matters is warranted, in the possession of Clinton as a member, and he, in return, rendered it important services.

Of the numerous and munificent charities of the Presbyterian Church, that which is intended to provide for the education of poor and pious young men for its ministry is perhaps the most beneficial in its influences. In the ever-growing population of our country, the means of religious instruction have in general been behind the increase of numbers, and always in arrear of the extension of our settlements. The Presbyterian Church, holding that the days of inspiration are past, makes a sound education, and proficiency in human knowledge, preliminaries to the reception of its ordination. In this it has acted with temporal wisdom, as well as with sound views of the spiritual benefit of its members. Nothing is so likely to bring religion into contempt as ignorance on the part of those who assume to be its teachers. Zeal without knowledge is almost certain to run into fanatical excess; and the exposition of Christian doc-

trine requires, in the absence of the supernatural gifts which distinguished the early age of the church, no small extent of classical learning. The rapid improvements of science are continually renewing the question how far its discoveries are consistent with the real truths of revelation. Antiquated interpretations of texts have been founded on ancient theories in physics, which modern improvements have exploded. The scoffer has taken advantage of such apparent contradiction, and has applied it to the propagation of infidel doctrines. The churchman who shall neglect to become acquainted with scientific principles, and to watch the progress of physical knowledge, may, in the arguments which the unlimited freedom of discussion that the institutions of our country so wisely and fortunately admit of, become involved in a dilemma which, to the uninformed and unreflecting, may be the foundation of infidel opinions. All are aware of the injury which was done to the Christian belief of many anxious inquirers, by the pertinacious opposition of overzealous churchmen to the discoveries of geology, which, although for a time rejected by them, are supported by such irrefragable evidence, that no one who inquires can possibly refuse his assent.

It is also of vast importance that a large proportion of the teachers of religion should be taken from among those in moderate circumstances, or

even in poverty. The habits of those who are reared among the more opulent classes of society, particularly when united with those formed in scholastic institutions, are a bad preparation for the hardships and privations of a frontier settlement; while the spiritual welfare of the people is generally best promoted by a pastor who can enter into the feelings and unite in the society of his parishioners.

Of the Education Society, founded to promote such objects in the Presbyterian Church, Clinton was a valuable and useful member, and held for several years the office of vice-president.

While he thus manifested his preference for the form of worship preferred by his forefathers, he was influenced by no feelings of sectarian bigotry. The mere forms of worship, and even differences in tenets, he regarded as unimportant, so far as the public was concerned, provided the religion professed produced its proper influence on the life and morals.

Of the institutions of human origin, that which has tended in the highest degree to extend the knowledge of the Christian faith in distant lands, and to enlarge its influence in our own, is the Bible Society. Of this inestimable institution Clinton was one of the first officers, and held for some years previous to his death the office of a vice-president.

In addition to his numerous reports on subjects of national interest, his speeches to the Legislature, and the many laws of which he furnished the draughts, Clinton was, as we have seen, a distinguished writer on scientific subjects. He also wrote and delivered many occasional addresses. Of these we may cite, in high terms of commendation, his eulogy on Fulton and Livingston, and his orations before the alumni of Columbia and Union Colleges. These addresses form, as has been well remarked, the most peculiar feature of American literature, from their vast number and general ability. In accepting the invitations to deliver such addresses, Clinton was brought into direct contrast, not with the politicians and statesmen so much as with the most eminent literary and scientific men of the age and country. It is enough for his reputation to say that he did not suffer in his character as a writer by this comparison.

Clinton's accession to the office of governor by re-election in 1827 was attended with a most singular revolution among politicians. His ancient opponents had been divided into two parties, one of which, after having supported Mr. Crawford as a candidate for the presidency, had united with the friends of General Jackson; the other sustained the policy of the administration of Mr. Adams. Clinton had felt a preference for General Jackson,

although he had taken no active part in the election, which terminated in the choice of Mr. Adams. The acts of the office-holders of the general government and of the personal friends of Mr. Adams left him no alternative but to avow his preference, and he was thus placed in the position of a leader, and the most prominent personage of a party which was, in a great measure, made up of his most constant and bitter opponents. On the other hand, the masonic question had resulted in the organization of a party, many of whose members were drawn from among the most steady supporters of his policy, which was opposed to the election of Jackson.

The triumph which speedily followed in the election of General Jackson to the presidency, appeared to open new views of ambition to Clinton. It was generally believed that the new president would have called him to a distinguished position in his cabinet, and that Clinton would not, on this occasion, have declined the invitation. In this station he would have been placed as the most prominent candidate for the succession. This new opportunity for the exercise of his talents in the services of his country was not vouchsafed him. It might be a matter of curious speculation to conjecture how far the acceptance by Clinton to a place in the cabinet would have influenced the course of General Jackson's administration; and

how long two men, equally determined in the support of the measures they considered to be proper, could have remained in amicable relations. It can now be seen that many of the measures of General Jackson's administration were in opposition to the avowed opinions of Clinton, while in others he would have cordially united.

He would probably, also, have striven to moderate the excessive zeal by which principles in themselves correct were carried by that energetic man beyond the verge of expediency ; and there can be little doubt that he would have been able to exercise an influence for good, which was possessed by none of his subsequent advisers. Such speculations are, however, futile ; for it is now known that he had determined to decline office under the new administration, not, as he said, from any want of regard to General Jackson, but because he considered his station as governor of New-York by the election of the people more honourable than any appointment in the gift of the general government.

Clinton's message to the Legislature in 1827 contains the announcement of the final and complete triumph of the canal policy of the state. He had the gratification to announce that the tolls of the preceding year had amounted to seven hundred and seventy thousand dollars, or to nearly twice the amount of the interest on the debt con-

tracted for the construction of the canals; while the whole revenue of the fund amounted to upward of a million. With this decided proof of the success of internal improvements conducted on the part of the state, Clinton presses upon the Legislature the propriety of aiding in other undertakings, and, in some instances, of assuming them for the public account. He more particularly refers to the projected road through the southwestern tier of counties. In respect to this, he declares that he is willing to encounter his full share of the responsibility of the measure he recommends.

Among other important points in this message, he recommends corrections in the criminal code, and gives instances where it is of an oppressive and unjust character, as well as unequal in its operation.

Of these recommendations, that in relation to the road through the southwestern counties is the most important. Investigations held subsequently, and the improvements made in the construction of railroads, have satisfied the parties interested in this improvement that it can be better effected by means of a railway than by a common road. In this view of the subject Clinton would in all probability have concurred; and there can be no doubt that he would have urged with all his influence the construction of this railroad by the state. The Legislature has been of a different

opinion, and the construction of the road has been intrusted to an incorporated company. All the evils which Clinton anticipated from this act have followed. The probable profits are not sufficient to attract a sufficient amount of capital ; the stock, although subscribed, has not been paid up ; and the project must either be abandoned, or the state must assume the responsibility of constructing it.

In the summer of 1827 Clinton made a tour through Connecticut, and parts of the states of New-Hampshire, Vermont, and Massachusetts. He was received throughout not only with the distinction due to his rank as governor of the State of New-York, but with the enthusiasm excited by his services in the cause of internal improvement. While it was impossible that any feeling could exist in these states at all approaching to the regard and gratitude with which he was regarded by many of the citizens of New-York, he, on the other hand, was spared the pain of meeting those who looked upon him as an obstacle to their plans of partisan aggrandizement. His journey was therefore attended with unmixed feelings of gratification.

Towards the close of the same year Clinton was attacked by a disorder to all appearance slight. It, however, resisted all the efforts of medicine, and finally deprived him of life. In consequence of the incapacity for taking the quantity

of exercise to which he had been previously accustomed, his life had become in a great measure sedentary, and his constitution no longer possessed the power of throwing off the causes which might produce disease. The form of a mere cold, which the disorder at first assumed, appeared to furnish no cause for anxiety ; but it pressed upon him by slow and insidious steps. The powers of his mind hardly appear to have been affected ; and, while he sustained some feelings of bodily uneasiness, he was yet able to apply himself to his official duties. Among the very last events of his life is a letter addressed to one of the circuit judges, in reference to an act that came properly within his cognizance as governor, which is distinguished by all the clearness and ability of his most vigorous days.

The disorder took the form of a dropsy of the chest, affecting in an especial degree the heart and lungs. His death was without warning, and while his friends anticipated no immediate danger. It took place on the 11th of February, 1828, in the presence of his eldest son, who acted as his private secretary. He had taken a drive in the morning, visited the Capitol, and transacted business as usual. In the afternoon he wrote up his diary, and perused all the letters received by the evening mails, and was thus engaged until within a few minutes of his death.

Although his danger was not feared by his fam-

ily, he himself was fully aware of the approach of his last hour. His friend Dr. Hosack, who, while he resided in New-York, had been his physician, visited him in Albany, and felt it his duty to communicate how precarious his position was, and that his disease must soon terminate fatally. Sustained by a well-founded religious belief, and the consciousness of a well-spent life, he replied that he "was not afraid to die," and the portentous announcement produced no apparent change in his cheerfulness, or alteration in his attention to the public business.

His countenance underwent no change in death; there was no struggle or convulsion; the colour of his cheeks was unchanged; and his departure was as quiet as if he had dropped asleep.

The death of no person ever produced a greater and more general expression of sorrow throughout the whole state, and in a great portion of the Union.

The feelings of party animosity, which had pursued him through life, and which had not altogether abated, ceased at once. All classes, ranks, and factions joined in deplored his loss, at the moment when his services were as much needed as they had ever been, and when he appeared to be more than ever capable of rendering them. The citizens, in public meetings in all the cities of the state; the Legislature, which was in session at the

time, and the municipal corporations, united in the expression of a heartfelt sorrow.

The history of Clinton embodies that of the parties which have agitated the State of New-York from the close of the war of the Revolution. The existence of two opposing factions seems to be inseparable from the nature of a free government, and their balance may be almost essential to its existence. Furious as have been the contests in words, and inveterate as have been the personal hostilities that have in some cases been generated, it is a favourable augury for the stability of our institutions, that, since the adoption of the federal Constitution, no question has been agitated having any real bearing upon the great principles on which the government is founded. The long contest of the federal and democratic parties was grounded in a great degree upon foreign policy, however loudly the one party was charged with maintaining aristocratic, and the other of a tendency to disorganizing principles. Since that time, personal preferences, and the contest for places of emolument, have been, in general, the springs of political action. It has thus happened, that, from the moment the old federal party fell to pieces, the distinctions of party have ceased ; and the same men have been seen alternately caressed and proscribed by the coalition calling themselves the old democratic party. It has been no agreeable task to

hunt up the records of political changes. Clinton was by them made, as has been seen, alternately the idol and the proscribed of the dominant party ; and in it have figured his ancient federal opponents, as well as his original democratic allies. For himself, he was separated at an early period from the mass of politicians, who pursue their vocation principally for the purpose of their own aggrandizement. One favourite object, the improvement of the internal navigation of the state, furnished him with a mark for his aspirations which distinguished him from the vulgar herds of faction. No man was a warmer and more active partisan than himself ; but his most violent denunciations of his opponents had one redeeming quality—they were intended to aid in the triumph of the policy whence the state has received so much benefit.

In the warmth of his political feelings he not unfrequently committed the mistake of supposing those who opposed him from personal feelings, or in the hope of acquiring ascendancy from his downfall, to be influenced by motives of less creditable description ; while, on the other hand, he in some instances overrated the capacity of those who remained his steadfast friends both in good and evil report. The warmth of his temperament, which made him a strenuous friend, or an active but generous enemy, rendered him at times the advocate of those who little merited his support, and

placed him in active opposition to some who, from similarity of views on the great question of internal improvement, were fitted to be the most useful partisans of the measures in which he took so strong an interest.

Clinton's person, in his youth and early manhood, was remarkable for its masculine beauty, and, as years advanced, assumed a majestic character. His stature was upward of six feet, straight, and finely proportioned. His eyes were a dark hazel, approaching to black, and highly expressive; his hair brown; his complexion clear, and more florid than usual among Americans; his teeth fine, giving a peculiar grace to his smile; his nose slightly aquiline. His habits of reflection and close study were marked in the ordinary expression of his countenance, which, controlled at an early period of his life to the gravity becoming the magistrate and the senator, presented an appearance of seriousness almost approaching to austerity. When speaking in public, however, his face expressed, with the utmost flexibility, the varying emotions to which his words gave vent; while in the intercourse of private life and in familiar conversation, the gravity, which rested on his features when not excited, gave way on occasion to playfulness and mirth.

His portraits, which were painted by many of our best artists, and his bust by Brouwere, exhibit,

in almost all cases, the expression of gravity and reflection. They thus give little idea of the more agreeable lineaments of his countenance.

He was as exemplary in his private relations as he was distinguished in public life—a good and affectionate husband ; a kind and judicious father ; a friend who in many cases sacrificed his own interests in order to benefit those who were faithful to him. No shade of suspicion, in all the vituperation which was showered on him by political adversaries, was ever cast on his moral character.

Although reserved in his manner in mixed societies, he was playful, sportive, and cheerful in his intercourse with his children, kind, and of the most even temper. Hence his absence was always regretted by them, and his return welcomed with demonstrations of joy.

He was an early riser, and generally despatched his correspondence, which was often voluminous, before he breakfasted. He thus had the remainder of the day at his disposal ; and, while laborious to an extent equalled by few even of professional men, had the appearance of almost perfect leisure during the ordinary hours of business. Hence, while holding official stations, he was always accessible ; and the crowd of visitors which he admitted did not intrench on the strict performance of his duties.

It is one of the most remarkable features in his

career, that he was never defeated in any election when the question was submitted directly to the people. The only instance in which he was an unsuccessful candidate for an elective office was that in which he was opposed to Madison as an aspirant for the presidency; and, although there is little probability that the result would have been affected by a vote not conveyed through the electoral colleges, the proposition is true to the letter.

On this occasion he may have departed from his usual prudent plan of weighing well the chances before he submitted his pretensions to the people; but there were causes at work which justify his course, if brought to no other test than that of political expediency. His uncle had a short time before become aware of a project, entertained by the administration at Washington, for dismembering the State of New-York, and disappointed politicians were named who were to have been the willing instruments of this suicidal act. It therefore became necessary to show that the democratic party to the North was not in all respects subservient to the policy of Virginia, which viewed the rising greatness of New-York with distrust and jealousy.

This fact in relation to Clinton's uniform success whenever he came before the public as candidate for an elective office, would appear to justify his declared confidence in the ultimate judg-

ment of the majority. With this strong conviction, he appears never to have considered what would be the temporary effect of his measures, but only whether they were right in themselves, and calculated to promote the general prosperity; satisfied that, when the mists of prejudice in which they might be involved by their opponents had cleared away, his motives would be appreciated and his conduct approved. It thus happened more than once in his political life, that the outcry raised against him and his measures became so great that he appeared to have lost all favour with the public; and yet, no sooner had time for reflection been allowed, than he was elevated to the highest office in the people's gift. On these occasions he retired from the strife of party until time had been allowed for the cool judgment of the majority to be formed, and, to the surprise of his opponents, returned anew to the political arena, and carried all before him.

Whatever errors in principle or practice he may have committed, his motives were always pure, and directed, not to the attainment of a temporary popularity, but to the great end of the public good. With more of flexibility, he might have escaped the political reverses he experienced, but he never could have risen with such irresistible strength as he exhibited in the elections of 1818 and 1826.

Violent as were the contests in which he was occasionally engaged, they seem never to have produced any rankling in his mind ; and even those who had been the instruments of actual or intended injury, were readily forgiven whenever they saw and acknowledged that they had been in error. His conduct seems to have been governed by the Roman maxim of policy, "*parcere subjectis, et debellare superbos.*"

We may cite, as an illustration of this feature of his character, his conduct to Gould and Ward. This bookselling firm had become the publishers of a pamphlet which was libellous upon his character, and his indignation was so much excited as to induce him to threaten a prosecution. No sooner, however, had they become sensible that they had been made the instruments of a false and malicious charge, and expressed their regret at the want of caution they had exhibited, than he dropped all proceedings and freely forgave them.

Numerous as were the attacks made upon him through the medium of the press, there was but one other instance in which he contemplated an appeal to a legal tribunal in vindication of his character. This was a case growing out of the antimasonic excitement. In the last year of his life he was charged with having, in his masonic capacity, sanctioned the outrage committed on Morgan. The charge was so entirely destitute of

any foundation, that the libeller saw that there was no hope for justification. He therefore threw himself on the mercy of Clinton, and admitted the falsehood of the accusation. In this instance also he refrained from farther prosecution, although it is clear that he must have recovered ample damages. His only purpose was the vindication of his fame, and, that accomplished, he saw no object in persisting in the suit.

In this, as in many other cases, he showed an indifference to money. He had, in fact, no disposition to accumulate pecuniary fortune, and exhibited no talent for money-making. In the hands of one who would have made wealth his great object of pursuit, his patrimonial inheritance and the portion of his first wife might have been the basis of a great accumulation of property, while the opportunities for advantageous investment opened to him in his office of canal commissioner might, in hands less pure, have been the source of unbounded riches. In spite of these opportunities, he died in honourable poverty, and even the plate presented to him by the merchants of New-York was exposed for sale after his death.

His charities were abundant; and there were instances, when compelled by a sense of duty to refuse the petition of a mother or wife for the pardon of a son or a husband, that he gave from his own purse the means of repairing, in some de-

gree, the distress growing out of the conviction of the criminal relative.

Enough of time has elapsed since his death to make the opinions now held of him almost tantamount to the judgment of posterity. If a few of his ancient opponents remain, who cannot divest themselves of the opinions derogatory to his character which they once in sincerity entertained; and if there be others who cannot consistently disavow the expressions they uttered in the heat of party debate; the generation which is now rising, without a dissenting voice, awards to him the praise due to an enlightened and energetic magistrate, a learned and impartial judge, an honest and patriotic politician, a dignified administrator of the government. More than all, no voice is now raised to question the important share he took in originating, carrying forward, and completing the policy to which the Erie and Champlain Canals are due, while few hesitate in ascribing to him so great a degree of merit in the advancement of this policy, as to sink the services of all other persons into comparative insignificance.

However meritorious may have been the services of the subordinate agents in any great event, history rarely records any but the chief performer. We speak of the conquests of Alexander and the victories of Cæsar, without reference to the thousands of gallant soldiers and hundreds of skilful

officers who aided in those exploits, and we commit no injustice ; for, if led by men of less genius, the valour of the one and the tactics of the other might not have saved them from defeat.

When we contemplate the finished statue, we think not of the labourers who have torn the marble mass from the quarry, nor even of the skilful workmen who have chiselled down its superfluous parts to an approach to the figure of the clay model in which the master artist has embodied his vivid thoughts ; but to that artist who has reserved to himself no more than the final touches, we ascribe the merit of the performance. And so of the majestic temples of the Christian faith ; the architect receives all our praises or undergoes our criticisms, to the exclusion of all who have been employed in the construction. When Michael Angelo uttered the sublime thought, "I will raise the Pantheon on the Temple of Peace," he imprinted a character on the basilic of St. Peter's which the mistakes and bad taste of his successors could not impair.

To descend to arts more strictly mechanic : we never inquire, when we read the name of an Arnold on a chronometer, or of a Breguet on a watch, through what a multitude of hands the several parts of the instruments have passed, for we know that these great workmen have impressed their own style of working on the crude form

in which they have received them from the manufacturers, and have combined the accessories furnished by others in such manner as no other could have identically accomplished.

Such exactly is the relation which Clinton holds towards the canal system of the State of New-York. He is the chief under whose guidance the political battle for its erection was fought; the artist who gave form and shape to the laws by which it was enacted, and the system of finance by which it was upheld; he was not the first to discern the practicability of the Erie route, but he drew the argument by which its superiority over the less expensive course to Oswego was demonstrated; finally, he was for fourteen years, from the time when the canals were first projected, until their success was beyond all possibility of doubt, the point in which all communications, partial examinations, and useful hints centred, and whence they were promulgated to the public under the sanction of his authority, adorned by the graces of his diction, and improved by the accuracy of his judgment. Foreign nations, anticipating the verdict of posterity, connect no other name but that of Clinton with the Canals of the State of New-York; and posterity itself will, beyond all question, elevate him in like manner above all others who have in any way aided in organizing and completing our canal system.



## A P P E N D I X.

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*De Witt Clinton to Governor George Clinton.*

Washington, January 11th, 1803.

DEAR SIR :

THE public mind is much agitated, and the public interests are deeply implicated, by the infraction of the treaty by the Spanish intendant of New-Orleans in withdrawing that place as a depository for American produce coming down the Mississippi, without assigning any equivalent establishment. I shall present you with a brief statement of this transaction so far as it is interesting, and so far as I have obtained correct information. Independently of other inducements for making this communication, you must be apprized that the city of New-York now actually commands, and will, according to every calculation of probability, continue to command, the greatest part of the New-Orleans, or, rather, the Mississippi trade ; that during the last year two hundred and thirty American vessels were employed in it ; that this commerce will accumulate with the extension of our western settlements, and that, therefore, the Spanish proceedings are calculated to inflict an injury upon our trade, the magnitude of which is at present beyond calculation.

The following facts, connected with and respecting this business, are, I believe, accurate.

1st. That the act of the intendant was contrary to the wishes of the governor.

2d. That the authority of the intendant, in relation to the fiscal and commercial concerns of the colony, is independent of that of the governor.

3d. That the intendant is a man of no influence at court, and

has grown rich from a very low origin ; and that his proceedings are, in all probability, intended to increase his wealth by their subserviency to a commercial speculation.

4th. That the court of Madrid has not, in any shape, authorized his conduct.

5th. That *Louisiana*, in the Spanish as well as the French acceptation, comprehends not only the country on the west side of the Mississippi as far as Mexico, but New-Orleans and the Floridas.

6th. That this country is comprised in one government and one intendance under the denomination of Louisiana.

7th. That, by the treaty of Amiens, Louisiana was ceded to France. That the British minister gave to Mr. King a copy of the treaty which contained this cession ; but that, in the whole course of the negotiation for peace, the British abstained from putting a direct interrogatory on this subject.

8th. That it is not ascertained whether the French mean to take possession of the ceded country ; and, if they intend it, the time when is of course a profound secret.

9th. That the Spanish minister here immediately sent an express by water to New-Orleans, remonstrating against the proceedings of the intendant, and advising their discontinuance ; that, although he has no control over the intendant, there is a very great probability that his advice will be attended to ; that, if it is not, the minister will enforce it emphatically upon his own responsibility, and that our government also sent an express by land charged to the same effect.

10th. That it is the prevalent opinion here, that it is essential to the prevention of future interruption of our western commerce, and the preservation of the peace of the Union, that the country on the left bank of the Mississippi and east of that should belong to us, and that there are two modes of accomplishing this object—purchase and force, and that the former ought to be first tried.

11th. Under this impression the president has this day nominated R. R. Livingston minister plenipotentiary, and James

Monroe, late governor of Virginia, minister extraordinary and plenipotentiary, to treat with the First Consul conjointly "for the purpose of enlarging and more effectually securing our rights and interests in the river Mississippi and the territories eastward of it;" but as Spain is still in possession of the country, the like powers, in the same capacity and for the same objects, are intrusted, in case it should be necessary to exercise them, to Mr. Monroe, in conjunction with our present minister at Madrid. By the rules of the Senate, these nominations cannot be considered until to-morrow. They will undoubtedly be confirmed.

The Legislature of Maryland have passed spirited resolutions upon the subject of the shutting up of the Mississippi, which will probably be followed by the other states. You will at once perceive that part of this communication is intended to be private; but I thought it best to give you a view of the whole ground, so that you may judge of the expediency of drawing the attention of our Legislature to this subject, as our citizens are greatly interested in it, and I am certain that this measure will be very acceptable to the republican interests of the Union. You have no doubt witnessed the attempts made in the Morning Chronicle and federal papers, under the appearance of exclusive zeal for our national rights, to produce a war immediately with a view to embarrass our financial arrangements and overthrow the administration. A suitable mention of this subject, in a general view of the affairs of the nation, will therefore have a great tendency to confound these insidious attempts.

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*De Witt Clinton to James Madison.*

New-York, July 1st, 1804.

DEAR SIR:

I have the honour of acknowledging your letter of the 25th of June and its enclosures. I should have answered it immediately, but I was anxious to obtain some documents which would throw further light on the subject of it, and these I could not procure until yesterday.

The attorney of the district will in a few days inform you of the proceedings which have taken place on account of the violation of the revenue laws. No coercive process has been issued under the authority of the state, for reasons arising from a defect of jurisdiction, which I shall hereafter explain to you.

In my communication of the 19th, I gave you the general outlines of the proceedings in relation to the rule of twenty-four hours. In order to evince the frivolous nature of Mr. Merry's complaint on that subject, and to demonstrate that his charge of partiality is totally groundless and unjustifiable, I shall now present to you a more detailed statement of facts, and make a few remarks which naturally arise from them.

The French frigates had been in this port about two weeks, and it was well known and understood that they intended to proceed without delay to the place of their destination. The British vessels of war arrived here on the 16th of June, and on the 17th (subsequent to the aggressions, but previous to my knowledge of them) I addressed the letter relative to the usage of twenty-four hours to the British consul-general. It could not have been supposed that the British vessels intended, for any legitimate object, to depart from the port almost as soon as they had entered it. If this had been their design, they certainly would not have approached so near to the city. The probable supposition was, that information had been sent from this place to Halifax of the arrival of the French frigates; that the British vessels had hastened here to reconnoitre them; to watch their movements, and to follow them out of our jurisdiction for hostile purposes. As my letter to Colonel Barclay was in consequence of a communication from General Rey recognising the rule, it could not have been necessary to notify the latter of it, especially as there was not the remotest reason to suspect that the French vessels would follow the British ones out of this port.

The next morning I received an official account of the outrages committed at the Quarantine Ground. In the afternoon of that day I received Colonel Barclay's letter, of which I sent you a copy, marked No. 5. By referring to it, you will find that it is

extremely disingenuous and evasive. It does not appear from it that he had communicated my request to the British commanders. It did not announce any views or intentions of theirs in consequence of that request. It did not take the ground now assumed by Mr. Merry. Nor did it stipulate that the British vessels should not pursue the French ones within twenty-four hours after their departure, or recognise any obligation on their part to comply with the rule in any sense whatever. On the contrary, it appeared from it that the intentions of the British admiral were to be paramount to the law of nations. Nor could it well escape my observation, that the declared object of the visit of the British vessels was not the real one ; that if it had been the delivery of despatches, as pretended, it could have been fully effected by their remaining out of the port, and sending a boat up to the city ; that it was not reasonable to suppose two vessels of war would be sent for the purpose of conveying communications to a consular agent ; and the mention of taking directions from Mr. Merry on the subject could be contemplated in no other light than as an implied refusal to comply with my request in any shape, because, in all probability, his answer could not arrive in season.

Combining Colonel Barclay's answer with the considerations which I have mentioned, and more particularly with the aggressions at the Quarantine Ground, I had no doubt but that the British commander would proceed in his career of atrocity, and I considered it my duty to deprive him of the means as far as lay in my power. Under these impressions, I wrote the letter heretofore transmitted, and marked No. 8, to the wardens of the port. It is predicated upon, and distinctly states the belief, "that the Cambrian and Driver, vessels of war of Great Britain, will endeavour to violate the laws of nations by sailing from this port *shortly after* the French frigates," &c. Although it does not expressly mention the outrages at the Quarantine Ground as an inducement to the direction, yet the words *having reason to believe* will sufficiently indicate that they were present to my mind ; and I can truly declare, that if those aggressions had

not been committed, the order would not have been issued. I also thought it expedient to obtain from Colonel Barclay a more explicit declaration of the views of the British commander, and I accordingly wrote to him the letter marked No. 6, heretofore forwarded. If the British commander really contemplated to observe the rule, by not pursuing the French frigates out of our jurisdiction, Colonel Barclay would certainly have declared that intention in his answer to which I refer you. It will appear from it that he was satisfied with the propriety of my request, for he states that he *desired Captain Bradley to comply if in his power*: and I had no reason to suppose from it that the British vessels intended to leave the port prior to the French. It says, indeed, "I take it for granted, the ships are now on their way to the Hook." As the Hook is that part of our jurisdiction nearest to the ocean, all I could infer from this information was, that the British vessels have repaired there in order to facilitate their egress in pursuit of the French. The letter from Captain Bradley, said to be enveloped in Colonel Barclay's, was never received by me. Supposing this, at the time, to be a mistake, I mentioned it to him, and he promised to send me a copy, which he has not complied with, for reasons best known to himself.

The principal ground of complaint appears to be, that the British intended to depart from this port immediately; that they were entitled to depart, if they could gain the ocean previous to the French; and that they were prevented from departing by the recall of the pilots. The pilots left the vessel on the 19th; on the next day they were permitted to rejoin them, which they accordingly did; and yet the Cambrian and Boston have not sailed, but continue stationed near the mouth of the port, while the Driver is cruising off the Hook. The allegation, then, upon which this pretended grievance is founded, is completely falsified. The affidavit of Rowland R. Crocher, No. 1, will indicate new aggressions committed on a vessel coming in to this port; and that of Robert Bennett, No. 2, will show that the Boston endeavoured to intercept an American brig, named

the Pallas, in her egress from this port, with the probable design of capturing certain distinguished French citizens who were supposed to have taken their passage in her. The fact is, our port is completely blockaded against the admission or departure of French vessels. There can be no doubt but the British frigates will pursue and capture all French vessels leaving the port, without any regard to the law of nations or our neutral rights. Instead, therefore, of complaining that they have been deprived of pilots for two days, they ought to be thankful for our forbearance in allowing them any, after the daring outrages which they have committed and continue to commit.

On the 26th of December last, an application was made to me by Richard J. Tucker, at the instance of the British consul-general, to detain in this port the French armed schooner L'Ocean, upon account of the intended departure of two British merchantmen; and, on the 19th of January, a similar application was made by the consul-general in behalf of another. The papers marked from No. 3 to No. 8 inclusive, contain the applications and the subsequent proceedings; and in demonstrating that a similar conduct was adopted at the request of British agents, and in favour of British vessels in respect to the rule of twenty-four hours, as has been pursued in the case now complained of, they abundantly refute the charge of impartiality. Any measures in these cases to enforce the rule, were rendered unnecessary by the annunciation of a determination to comply with it.

I also transmit an affidavit of John White, marked No. 9, which proves that the captain of the Cambrian was made acquainted with our Quarantine law, and that he knowingly violated it.

Since writing the above, I am told the Boston went out of port yesterday, and probably on a cruise off the Hook.

*De Witt Clinton to Thomas Willing.*

New-York, August 4th, 1804.

DEAR SIR :

I avail myself of an early opportunity since my return to this city, of acknowledging the communication subscribed by you in behalf of the citizens of Philadelphia, Southwark, and the Northern Liberties, in relation to the melancholy death of General Hamilton.

The unsullied integrity, transcendent talents, and eminent services of this great man, are universally acknowledged and duly appreciated by all descriptions of persons here; and although a large majority of the citizens of this place are decidedly attached to the wise and patriotic administration which so happily presides over the affairs of the Union, and were, of course, opposed to General Hamilton in political opinions, yet on this occasion we all cordially unite in deplored an event which has deprived our country of one of the most distinguished of her citizens, and which, although at all times a public misfortune, must be considered peculiarly so at the present crisis, when we reflect on his zealous and honourable attachment to the union of the states, and consider the disorganizing schemes which, there is too much reason to apprehend, are in agitation to destroy this palladium of our national safety, this guarantee of our national glory.

The virtuous sensibility manifested by the citizens of Philadelphia, Southwark, and the Northern Liberties is highly honourable to them, as well as to the memory of the deceased, and has made a deep impression upon our minds. In presenting you and them the warmest acknowledgment for your sincere and heartfelt condolence, I am persuaded that I faithfully communicate the sense of my fellow-citizens, as well as my own upon this occasion.

I have the honour, &c.

*The Trustees of the Free School to the Vestry of Trinity  
Church.*

New-York, May 10th, 1815.

GENTLEMEN :

The trustees of the Free School Society of New-York would do injustice to their feelings were they not, in addition to their public acknowledgment, to express to you, in a more direct form, their high sense of your liberality, charity, and public spirit, in appropriating the valuable grounds in Christopher, Columbia, and Hudson streets, for the purpose of dispensing education to the poor of this city.

As long as benevolence shall be considered a virtue and knowledge a blessing, this act will command the approbation of all good men.

I am, in behalf of the trustees,  
Very respectfully, your most obedient servant.

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*De Witt Clinton to J. Ellicott.*

Albany, April 4th, 1816.

DEAR SIR :

Accompanying this, you will receive an interesting map relative to the country affected by the proposed canal. It is to be regretted that the scale is too small. I think that the canal is in a favourable train, and I hope that it will receive the sanction of the Legislature in a few days. Your suggestions relative to the ways and means are interesting, and will, I have no doubt, be adopted either on this or a future occasion.

Having, ever since Governor — has unhinged the executive power by shrinking from responsibility, considered the council of appointment as a deleterious and disgraceful body, I have paid little or no attention to their proceedings, and I had not learned, until I received your letter, their doings relative to Geneva. These proceedings are similar (if not more aggravated) to those which have taken place in other respects.

The truth is, that the whole of the appointing power is in the hands of four irresponsible individuals, whose ephemeral importance is succeeded by an exit into obscurity ; and the state is disgraced, and the republican party divided and diminished, to gratify a hunter after popularity, who had not the nerve to do right, but whose system is a system of ever-varying shifts and petty expedients, without an intellect sufficiently enlarged to comprehend the great interests of the state.

The present council, at least three of them, are totally free from the influence of which you suspect them ; of — I cannot speak in other respects, but I presume he is also. Those I know rely very much on the advice of —.

I believe that there are strong objections to —, not only on account of the republican principle of rotation, but upon account of the condition of the republican party, which is divided, disgraced, and nearly ruined ; but our affairs are brought to a crisis, and from the political character of —, and the probable results of his success, I shall support T—, not as a positive good, but as a less evil.

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*De Witt Clinton to the Governor of Pennsylvania.*

Albany, September 20th, 1817.

DEAR SIR :

My absence from this place has prevented an earlier reply to your excellency's communication of the 3d instant.

The measures adopted by Pennsylvania to connect the waters of the Seneca Lake and Tioga River, exhibit an intelligent, enterprising, and patriotic spirit ; and the benefits which will arise from the execution of the plan will be experienced in the creation of an extensive inland trade, and in the consequent encouragement of agriculture, commerce, and manufactures. The obvious tendency of this measure is to facilitate the transportation of commodities from this to the neighbouring states.

From a full persuasion that our country will be best advanced by multiplying the markets for her productions, and by an inti-

mate and beneficial connexion between the different members of the confederacy, I consider it a sacred duty to overlook local considerations, and to promote, to the utmost of my power, every plan which may be subservient to these important objects; and I cherish with confidence the opinion, that the state over which you preside will, under the influence of an enlightened public spirit, co-operate with this state in promoting our contemplated navigable communications between the Northern and Western lakes and the Atlantic Ocean.

Under this impression I now transmit to your excellency the official reports of the canal commissioners, and the acts of the Legislature of this state on that subject.

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*De Witt Clinton to Rufus King.*

Albany, December 13th, 1817.

DEAR SIR:

I feel greatly obliged by your letter of the 5th. I have taken measures to ascertain the state of our claims *vs.* the United States; but I am apprehensive that they have been greatly, if not totally, neglected. As soon as I obtain the necessary information, it is probable I shall write to you and your colleague at large on this subject.

The canal commissioners have recently had a meeting at this place. The Northern canal will be contracted for in toto before spring, and some work has been already done on it. Sixty miles of the Western have been contracted for, to be finished by the first of December, 1818; and work to the extent of twenty miles has been already effected, and all these arrangements have been made within the estimates of the commissioners.

My great regard for the president, and my anxiety to extend our navigable communication, induces me to regret exceedingly his scruples about the right of Congress to promote internal improvements; and I perceive a total interruption of the interposition of the national government in favour of roads and canals. The probability is, that no amendment removing the difficulty

will be sanctioned by the states. Some will oppose, because they believe that the power is already vested in Congress; and others will object, because they believe that it ought not to be deposited in that body. After swallowing the National Bank and the Cumberland Road, &c., it was not to be supposed that Mr. Madison would strain at canals; but so it is; and the gallantry of his successor, in protecting him with his Telamonian shield, is more to be admired for its spirit than its prudence. We shall go on without any expectations of extraneous aid; and in the course of ten years, I hope, if Providence spares our lives, to have the pleasure of a canal voyage with you from Lake Erie to Albany.

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*De Witt Clinton to Thomas Eddy.*

Albany, December 23d, 1822.

DEAR SIR:

Mr. S. Burling lately solicited me to recommend the introduction of a plan for laying an excise on spirituous liquors, and I partly promised that I would; but, on farther reflection, I consider it most suitable that the overture should emanate from his constituents, and with this view I now write to you.

In some well-written essays published on this subject in Walsh's paper, it was estimated that fifty millions of gallons of spirituous liquors are annually consumed in the United States, at an expense of thirty millions of dollars, and with the sacrifice of thirty thousand lives. If this be only an approximation to the truth, what a field for reflection does it present to the moralist and statesman.

After deducting foreign importations of spirits, say to the amount of six millions of gallons, and allowing for four millions produced from foreign molasses, there would still remain forty millions manufactured from our own materials. Does not this astound us with its enormity and alarm, as with its terrific aspect?

An excise of one shilling a gallon would produce a revenue

or five millions a year. Double the duty, and you will raise a fund that will pay off the national debt, and line and intersect the country in all directions with canals and roads.

Every considerable increase of the price of an article tends to check its consumption; and here the revenue of a country would be auxiliary to its morality—a noble union in the eye of a great statesman.

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*De Witt Clinton to Henry Eagan.*

Albany, October 1st, 1823.

SIR :

I had the honour of receiving your letter of the 16th ultimo, and, greatly respecting the honourable feelings which have prompted that communication, I hasten to reply to it. A general answer will, I presume, embrace the material points on which you wish to be satisfied.

Your duties as a Knight Templar are subordinate to the duties which you owe to yourself, your family, and your country, and your natural and social rights cannot be destroyed by masonic communion; you have a right, therefore, to withdraw from the encampment of Knights Templar whenever you may consider it necessary, on discharging your pecuniary obligations to the institution; and no presiding officer has any right to interrupt you in the exercise of this right.

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*De Witt Clinton to Joseph Sabine.*

Albany, October 10th, 1823.

SIR :

I have received, at different times, all the transactions of the Horticultural Society of London, as far as the second part of the fifth volume inclusive, and I need not say how highly gratified I am at this splendid specimen of the arts, combined with so much useful information.

I have also received your zoological appendix to Captain Franklin's journey, for which I thank you. The accurate an-

important information which it contains renders it an acquisition to natural history.

I see that you have noticed the "Columba Migratoria;" as this is one of our most interesting birds, I have sent by Mr. Douglass six living ones, which I hope will reach you in good order. I have enclosed a paper which contains some observations on this bird. You will also receive specimens of preserved birds for your collection.

I am much obliged to you for the Nepaul rice, and I have made such a distribution of it as I hope will produce good results.

I have afforded Mr. Douglass all the facilities in my power, by letters of recommendation, written directions, and verbal advice. The notice of the Horticultural Society which I transmit by this conveyance, was written by me with a view to propitiate the public mind in favour of his mission. I consider your selection a judicious one: he unites enthusiasm, intelligence, and persevering activity.

I have sent by him a box of minerals for your cabinet. They were collected in the excavation of secondary limestone, about thirty miles from Lake Erie, in the course of our canal operations. I have not inspected the box; but, if they are put up according to my directions, you will find some specimens not a little interesting.

You will also receive the Memoirs of our Board of Agriculture, in two volumes, and the transactions of a society for Useful Information, in three volumes. They are intended for the library of the Horticultural Society.

Mr. Douglass will deliver a box containing some specimens of fruit, which, if they reach you without decay, may interest you by their size, if not by their flavour.

The deerskin socks, or moccasins as they are called by the Indians, were manufactured among the Cayugas, and they, together with the pamphlets and other articles in the same box, are intended for you, with the exception of the seeds that you may consider useful for the society.

I think it would be beneficial for your institution to have two additional corresponding members in this country, one for the North and one for the South. Jesse Buel, Esq., of Albany, secretary of the Board of Agriculture of New-York, and John S. Skinner, Esq., postmaster of Baltimore, are particularly well qualified, and their admission as corresponding members will, I am persuaded, be the means of procuring intelligence and contributions of various kinds and of the most interesting character.

Mr. Skinner will forward a bushel of the famous white wheat of Maryland, and several volumes of the American Farmer, published by him, and Mr. Buel will also make a communication to you.

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*De Witt Clinton to Micajah S. Williams.*

New-York, November 18th, 1823.

SIR :

Your communication of this day covers a very wide field of inquiry, and embraces many important considerations ; therefore I shall endeavour to give a prompt, explicit, and, I hope, satisfactory reply.

The projected canal between Lake Erie and the Ohio River, in connexion with the New-York canals, will form a navigable communication between the bay of New-York, the Gulf of Mexico, and the Gulf of St. Lawrence ; of course it will embrace within its influence the greater part of the United States and of the Canadas. The advantages of a canal of this description are so obvious, so striking, so numerous, and so extensive, that it is a work of supererogation to bring them into view. The State of Ohio, from the fertility of its soil, the benignity of its climate, and its geographical position, must always contain a dense population ; and the products and consumptions of its inhabitants must for ever form a lucrative and extensive inland trade, exciting the powers of productive industry, and communicating aliment and energy to external commerce. But when we consider that this canal will open a way into the great

rivers that fall into the Mississippi ; that it will be felt, not only in the immense valley of that river, but as far west as the Rocky Mountains and the borders of Mexico ; and that it will communicate with our great inland seas and their tributary rivers, with the ocean in various routes, and with the most productive regions of America ; there can be no question respecting the blessings that it will produce, the riches that it will create, and the energies that it will call into activity.

It must be obvious that there can be no insurmountable physical difficulties to the opening of this canal, if there be a sufficiency of water on the summit level ; and the researches that have been made establish an abundant supply beyond the possibility of doubt. The only questions that can present themselves are those of comparative difficulty, expense, accommodation, and productiveness in the designation of a route ; and this must be committed to the decision of able and experienced engineers.

I should suppose that the maximum cost of this improvement would exceed \$2,500,000. In five years, by an annual expenditure of \$500,000, this work may be advantageously completed. At the rate of six per cent., there would be wanted \$30,000 to pay the first year's interest ; the second year, \$60,000 ; the third year, \$90,000 ; the fourth year, \$120,000 ; and the fifth year, \$150,000. The only financial difficulty, in my opinion, will be the procurement of funds for the payment of the interest.

If the canal be commenced on the lake side, every step of its progress will open a most extensive navigation, and be the means of producing revenue ; and, at the termination of the five years, the profits of the canal will not only defray the interest, but produce a surplus revenue applicable to other objects.

Supposing this canal to be 200 miles in extent, it would undoubtedly, by a vigorous effort, be finished in two years ; but it is advisable to extend the period to five years. The banks will in that case become consolidated before much use. As the operation proceeds, there will be an augmentation of skill and ac-

quisition of experience, which will produce economy and improved workmanship ; and as one fifth of the whole sum will in this case be only required for each year, the pecuniary advances that are essential will not be so onerous as if made within a shorter period ; and it ought to be recollect that the Erie Canal will be completed next year ; that Ohio can avail herself of the aid of able engineers and skilful contractors ; and that an undertaking conducted under such auspices will propitiate public opinion, and secure the confidence of capitalists who are disposed to embark their funds in the enterprise.

I shall now proceed to answer the following interrogatory, "Whether, in my opinion, funds can, say in two years from this time, be obtained, by loans at different periods, as may be required, to the amount of \$2,500,000, on the credit and in behalf of the State of Ohio, at an interest of six per cent. per annum, by giving satisfactory references for paying the interest semi-annually, and reimbursing the principal at the termination of thirty years ?"

I have no hesitation in answering affirmatively ; I have no doubt but that funds to the extent specified, and on the terms proposed, may be procured. The requisite loan may be obtained either in Europe or in this country.

It will be recollect that there is a vast disposable unemployed capital in Great Britain. The finances of that country are in a state of improvement, and in a period of peace she now requires no loans. The greatest borrower is consequently out of the market. The moneyed men in Europe have therefore accommodated France, Austria, Russia, and some of the governments in South America, with extensive loans, and certainly none of them afford such ample security for reimbursement as the State of Ohio.

The moral and political institutions of Ohio are all propitious to the observance of good faith ; her population is respectable in number, and excelled by none in elevation of character ; her government has been wisely administered, and she cherishes with enthusiasm that spirit of liberty and independence which is

connected with the best interests of men and the most flourishing condition of states.

Next to New-York, Ohio will be the most populous state in the Union ; she is susceptible of a population of 12 millions ; contains 39,000 square miles, and has every facility for carrying the pursuits of productive industry to the highest pitch of improvement.

She therefore presents all the leading inducements for the confidence of capitalists. She does not owe a cent, and can, it is hoped, so arrange her financial affairs as to meet the interest of the loans.

At the termination of one year New-York will have no farther occasion for loans ; and in two years a considerable portion of the funded debt of the United States will be paid off. Capitalists can then find no better place of investment than Ohio.

If two millions and a half are borrowed, every square mile in Ohio will be only answerable for sixty-four dollars. What an ample security for so small a sum ! and it will be recollect that, when this canal is perfected, it will, by the markets which it opens, increase the value of lands almost immediately fifty per cent., and diffuse the blessings of opulence over the whole country.

In a word, sir, all that is necessary to complete this great enterprise is the will to direct it. Considering, as I always have, that it is only a continuation of the Erie Canal ; that it will promote correspondent advantages, and that it is identified with the stability of our government and the prosperity of our country, I own that I feel a more than common solicitude on this subject.

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*De Witt Clinton to William D. Foot.*

Albany, December 4th, 1823.

MY DEAR SIR :

Your friendly letter of the 17th of November arrived when I was on a visit to New-York, from which place I have recently returned. This must be my apology for so protracted a reply.

When at that place I have learned enough to convince me that your suggestions are correct, and this impression is corroborated from so many respectable quarters, that doubt would be affectation. The body politic is indeed about to relieve itself from the unnatural pressures which have been heaped upon it.

As to the future, we must be regulated by events, keeping strictly in view the great interests of our country, as paramount to all earthly considerations. In the opinion of the best-informed men in the Union, the voice of this state will have a preponderating effect. Governor Randolph, Mr. Jefferson's enlightened and patriotic son-in-law, told me so lately, and without reserve, in New-York. In whose favour that voice shall be expressed is a subject which requires great deliberation. If we cannot obtain the greatest good, we must endeavour to select the next, and, at all events, to avoid alarming evils.

The events which are in a train of development will have an important bearing, not only on the well-being of America, but on the stability of free government ; and yet it is appalling to perceive such struggles for power without reference to the public interest. We must, after all, my worthy friend, rely upon the general diffusion of education as the palladium of liberty. The people always mean right ; and, although sometimes misled, yet they will, in the progress of time, render justice to themselves and to their real friends, if the blessings of knowledge are freely and fully communicated.

You will perceive that this hasty communication is intended for your private perusal ; I shall be happy to be favoured with a continuation of your correspondence.

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*De Witt Clinton to Mahlon Dickerson.*

Albany, December 13th, 1823.

DEAR SIR :

I thank you for the President's Message, which is justly considered an able document. If you have any intelligence with respect to the Northern Canal of New Jersey, it will give me

great pleasure to hear from you respecting it, as I conceive the contemplated measure to have a very important bearing on the public interests.

When I had the pleasure of seeing you at your house, I promised, in reference to the prosperity of your fishponds, to communicate to you a mode of raising trout that has been successfully adopted in Europe.

About forty years ago, Mr. Jacobi, of Hanover, after preparing a trough with gravel at the bottom, through which spring water was made to flow, took a female trout, and pressed and rubbed its belly gently, by which means it parted very readily with its spawn without any injury, in a basin of clear water. He then took a male trout, and rubbed and pressed its belly gently in the same manner, to let the melt or soft roe enter the same basin where the female roe was, and then stirred them together. The same result would follow if the roe were cut out of dead fishes, and mixed together in the same way. He then spread the mixed spawn in the trough, and let in the water. A more detailed account of this process may be found in the thirty-fourth volume of Tilloch's Philosophical Magazine, which work you either have, or ought to have, in the library of Congress. In this way he bred annually vast quantities of salmon, trout, and other fresh-water fish.

We have so many good indigenous fish, that it has not been thought worth while to import any new species. The common carp was introduced into England in 1514; its favourite residence is in slow and stagnant water; it unites rapidity of growth with longevity, and is very fruitful, a single carp having produced 342,144 eggs; and it is also considered excellent food. It is a hardy fish, and may be imported alive, or its spawn may be put up and transmitted in jars, as is practised in similar cases by the Chinese.

The Cyprinus Auratus, or Gold-fish, is a native of China and Japan; it will flourish in any collection of pure water, and its increase is prodigious. It is said to be good for the table. This fish was imported into Europe from China, and has been intro-

duced into this country by that circuitous route. I have them in glass vessels in my house, where they make a beautiful appearance. They were obtained from a little pond on the island of New-York, which is literally filled with them. As they multiply with great rapidity, one of your fishponds ought to be stocked with them. They will at least furnish food for your trout, besides gratifying the sight with their beautiful appearance. If you have a desire to be supplied, call on Dr. Hosack when you visit New-York, and it will give him great pleasure to see you accommodated. If I am successful in importing the common carp from England, you shall participate in the benefits of my enterprise.

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*De Witt Clinton to Jacob Harvey.*

Albany, March 20th, 1824.

DEAR SIR:

I send by this steamboat O'Driscoll's work on Ireland, and Washington's Sketch of the United States, in separate envelopes. The former is a book of much interest, and contains many original views and much valuable information. He, however, too evidently strains his brains to shine as a fine writer, and he sometimes tires the reader by uniformity, and palls the appetite by high seasoning. A traveller is more fatigued if the road is level or straight, than if it be waving or winding. The Sermons of Blair and the Poems of Darwin have been received as models of superior writing, but they soon lose their hold on the mind by their splendid monotony. O'Driscoll has fancy, pathos, discrimination, information, a great command of language, and, what is better, an entire devotedness to his much-injured country. Except two or three paradoxes, I see nothing to object to the matter of his book. His idea that the manufacturing greatness of England is owing to the poor laws, is about as wise as the doctrine of Malthus, that the calamities of Ireland are owing to potatoes.

In defiance of this heretical dogma of Malthus, I did not hesitate to try how far it would apply to the comfort of individuals;

and I availed myself of the opportunities which you have so kindly afforded me for a full experiment, and I assure you that I found nothing in the process but what puts the hypothesis of Malthus to the blush. Surely what is beneficial to individuals must be so to communities or collections of individuals. The salubrity of the potato is demonstrated in the beauty of your women, the strength of your men; and as population depends on subsistence, even according to the speculations of Malthus, the increasing numbers of Ireland, harassed as that country has been by tithes, taxes, oppression, and bad government, establish beyond question the futility of his theory.

I am, upon the whole, so much pleased with O'Driscoll, that I shall esteem it as a continuation of your kindness if you will favour me with an opportunity of looking at his newspapers.

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In compliance with your request, and in accordance with my hereditary predilections, I did not on the 17th forget the country for which God has done so much and men so little, nor did I omit to render my devoirs to the saint, and to pledge the health of the friend who has so kindly reminded me of the occasion.

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*De Witt Clinton to John Jacob Astor.*

New-York, December 2d, 1824.

DEAR SIR:

When on a short visit to this place, I had the pleasure of receiving from your son your letter from Geneva. The surprise which your silence had produced was removed by hearing of the accident which has occurred to you, and of which your communication gave me the first information.

The growth of this city exceeds the most sanguine anticipations. You will scarcely recognise it on your return; upward of 3000 houses will be erected this year. This extraordinary prosperity is principally imputable to the great canals, all of which are finished, except 30 miles of the Western termination of the Erie Canal, and which will be completed the beginning

of next July. The revenue from tolls this year will be 325,000 dollars, and every succeeding season will augment its amount. I always told you that, if I were proprietor of the island of New-York, I would at once construct these works at my own expense ; and there is now no part of the world which contains a canal of such extent as the Western one, and which has a city that forms the concentrating point of such immense internal and external commerce as New-York.

Our political excitements will not be terminated until the termination of the pending presidential election. The 24 electoral colleges met yesterday in their respective states, and gave in their votes : the whole number of votes is 261.

The probability is, that Jackson will have 100 votes, Adams 80, and the remainder will be divided between Crawford and Clay. A majority of all the votes, that is, 131, is necessary to constitute a choice by the electoral college ; and in case this aggregate number is not rendered, the election is transferred to the House of Representatives, who select by states one out of the three highest on the list of the electoral colleges. Whether Crawford or Clay will be the third person is doubtful, but it is believed that it will be the former. In every alternative, the general opinion and the general wish is in favour of the election of Jackson.

You will probably see in the gazettes that I am elected governor by the greatest majority that was ever given in this state in a contested election. The other elections have been of a similar character, and we are completely rescued from the late dominant party. If Heaven shall spare my life, I will endeavour to put this state on a footing which will call all her energies into activity, and elevate her still higher in the scale of prosperity.

Your return will afford the highest satisfaction to your numerous friends, and to none more than to yours sincerely.

*De Witt Clinton to James Renwick.*

Albany, October 1st, 1825.

DEAR SIR :

The firing of heavy cannon along the line of the Erie Canal on the day of the celebration of its completion, and probably from Albany to New-York, may afford a good opportunity for some interesting experiments on the phenomena of sound by the use of accurate chronometers at suitable places. The distance from Buffalo to Sandy Hook, by way of the canal, is rising 500 miles. I am aware that acoustics or the philosophy of sound has been closely attended to, but there is constantly unexplored ground in every science, and valuable gleanings may at least be elicited from the most improved state of useful knowledge.

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*De Witt Clinton to Parmenio Adams.*

Albany, December 21st, 1825.

DEAR SIR :

You have done me the honour to ask my opinion respecting the most advisable constitutional arrangement for the promotion of internal improvements. On this subject I never had a doubt. As the national government has all the effective revenue and funds of the nation, it ought, if it has not, to be invested with the power of distributing a due portion among the several states for the establishment of canals, &c. The rule of apportionment should be population, or, if you please, representation. There might be some difficulty in making all the requisite provisions on this subject. When there is a common interest of several states, and the intended work passes only through one state, then the states interested ought to make a common concern.

For these reasons, and to remove all doubts, I should like an amendment to the Constitution, investing Congress with the power of appropriation only and no other, and with this expression the first part of Mr. Bailey's amendment is proper in substance; but the second section, empowering Congress to make

surveys of coasts, rivers, roads, &c., is, in fact, investing them with plenary power over the whole subject, and extending it to other points. What power is to judge of urgent purposes but Congress; and they may or may not dispense money to the states as they please. This amendment, if adopted, would be a virtual annihilation of the state governments; and I am astonished at the foolery of the proposal. The author might have considered it a profound artifice, but its insidious and Jesuitical character is obvious; and, although the head of the ostrich is concealed, yet the whole body is completely exposed. Under the pretext of rendering homage to the state governments, it gives them nothing, and the general government everything.

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*De Witt Clinton to William D. Ford.*

Albany, April 14th, 1826.

DEAR SIR:

I have nominated you for Master in Chancery. I should have added the office of Examiner, but it would be against a rule which I have adopted, not to vest these two offices in the same person. This explanation I think proper to make, because the calumnious reports which appear to have been received and cherished in your village may also have infected this subject. I received a letter from —— of a very impertinent character, and which I shall consign to the merited contempt of silence, inquiring, in substance, whether I had changed my principles and abandoned my friends; from this and other sources I infer the existence of slanders of various kinds in your quarter, and the whole system seems to originate from the appointment of a notary. This office has never, that I can recollect, been refused by me on political grounds, and it has always been classed among those minor offices which are not worthy of any other notice than the fitness of the candidate. The applications in such cases of the members from the counties where the officers are, have been generally, if not always, acceded to on the ground of unity, and with a view to destroy, as far as possible, those

agitations which have convulsed and disgraced the state. As Mr. T—— was very improperly rejected by the Senate last session, with a view, as I was told, to obtain the appointment of notary for a Mr. ——, I was determined not to nominate the latter, and the former has since declined a renomination. In the interval between the declining of Mr. T—— and the receipt of the recommendation of Mr. B., a recommendation in favour of Mr. W., by the Senator and Members of Assembly of your county, was handed to me, and I acquiesced, as usual, in the arrangement; and I am only surprised that men of sense should so far lose their intelligence as to lay stress on such petty incidents.

Mr. B. was nominated as brigade inspector. The brigadier general is opposed to it; and, in taking this step, which I consider due to his position and his merits, I am not without my apprehensions that he may be rejected. The opposition, you know, have a majority in the Senate, and a conciliatory system is necessary between the two branches of the appointing power, in order to promote the best interests of our country; for the best laws are inefficient without good officers to execute them.

My course of policy was delineated in my first message. Chosen by the people, I expressed my determination to be their governor, not the governor of a party. I have acted on this system honourably, conscientiously, and to the general satisfaction. Not a murmur of disapprobation has been expressed against the principle; but, when it is carried into practice, the most injurious imputations are applied; and, with some of the blustering patriots of the day, moderation is apostacy; and an attempt to unite the people in favour of their own prosperity, and in virtuous and patriotic principles, is denounced as a profligate coalition; and the jugglers behind the distant curtain, who blow up the coals of discord, are worshipped by the few, the very few puppets of their ambition: but they that sow the wind will probably reap the whirlwind.



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